

# **KODIAK/ALEUTIANS Subsistence Regional Advisory Council**



*Nick Gould, Age 10  
King Cove School, King Cove  
2006 Art Contest Entry*

**Fisheries Meeting Materials**  
Kodiak  
Sept. 22, 2006

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**KODIAK/ALEUTIANS FEDERAL SUBSISTENCE  
REGIONAL ADVISORY COUNCIL**

**Comfort Inn, Kodiak**

**September 22, 2006**

**9:00 a.m. – 5:00 p.m.**

**The public is invited to testify throughout the meeting.**

Please complete and submit a testifier's form (from the sign-in table) to the Regional Council Coordinator. The Coordinator will give your form to the Chair, and the Chair will call on you.

**DRAFT AGENDA**

- 1. Call to order** (*Chair, Vince Tutiakoff*)
- 2. Roll call and announcement of quorum** (*Secretary, Pete Squartsoff*) ..... **3**
- 3. Welcome and introductions** (*Chair, Vince Tutiakoff*)
- 4. Review and adoption of agenda** (*add new items under #11*)
- 5. Review and adoption of minutes, March 21 & 22, 2006 meeting in Sand Point** ..... **4**
- 6. Chair's report** (*Chair, Vince Tutiakoff*)
  - A. 805(c) letter ..... **15**
- 7. Call for proposals to change Federal subsistence wildlife regulations**

Proposals will be accepted from August 9 to October 20, 2006.

  - A. From the public
  - B. Agency proposals
  - C. Regional Council proposals
- 8. Regional Council Charter** (*Michelle Chivers*)..... **18**

Review and recommend changes, if necessary
- 9. Fisheries Resource Monitoring Program**
  - A. Draft 2007 Fisheries Resource Monitoring Plan (*Amy Craver*) ..... **21**
  - B. Council review and comments on the Strategic Plan (*Stephen Fried*)

## 10. Agency Reports

- A. U.S. Fish and Wildlife Service, Subsistence Management
  - 1. Call for comments on the proposed rule for Rural Determinations, comment period ends October 27, 2006 (*staff*) ..... 48
  - 2. Update on court case about Council composition (*informational only*) ..... 59
  - 3. Update on closure, subsistence use amounts, and customary and traditional use policies (*informational only*) ..... 60
  - 4. Update on Kenai Peninsula Resource Area and Council (*handout*)
  - 5. Southeast Council's Draft Petition to the Secretaries Concerning Hunting Licenses (**action item**) ..... 61
- B. Izembek National Wildlife Refuge (*Sandra Siekaniec*) ..... 69
- C. Kodiak National Wildlife Refuge (*staff*) ..... 71
- D. King Salmon Fisheries Resource Office (*Mike Edwards*) ..... 76
  - 1. Mortensen's Creek Weir project
- E. ADF&G
  - 1. Buskin River Weir project update (*Donn Tracy*) ..... 79

## 11. Additions of other new business:

## 12. Call for items for 2006 Annual Report

## 13. Time and place of next meeting

- A. Confirm March 12 & 13, 2007 meeting in King Cove ..... 93
- B. Establish date and location for Fall 2007 meeting ..... 94

## 14. Adjourn

**Teleconferencing is available upon request.** You must call the Office of Subsistence Management at 1-800-478-1456, 786-3888 or 786-3877, at least 72 hours prior to the meeting to receive this service. Please notify the Regional Coordinator which agenda topic interests you and whether you wish to testify regarding it.

**If you have a question regarding this agenda or need more information,** please call Michelle Chivers, Regional Council Coordinator, toll free at 1-800-478-1456, 786-3888 or 786-3877; fax 907-786-3898.

Thank you for participating in this public meeting of the Kodiak/Aleutians Federal Subsistence Regional Advisory Council.

**KODIAK/ALEUTIANS SUBSISTENCE  
REGIONAL ADVISORY COUNCIL**

Seat 1 (term expires 2007)

**Pete Squartsoff, Port Lions**

Seat 2 (term expires 2007)

**Patrick Holmes, Kodiak**

Seat 3 (term expires 2007)

**Richard Zacharof, St. Paul**

Seat 4 (term expires 2007)

**Samuel Rohrer, Kodiak**

Seat 5 (term expires 2008)

**Alfred B. Cratty, Jr., Old Harbor**

Seat 6 (term expires 2008)

**Jim Hamilton, Kodiak**

Seat 7 (term expires 2008)

**Vincent M. Tutiakoff, Adak**

Seat 8 (term expires 2006)

**Paul Gundersen, Nelson Lagoon**

Seat 9 (term expires 2006)

**Speridon Simeonoff, Sr., Akhiok**

Seat 10 (term expires 2006)

**Richard Koso, Adak**

**KODIAK/ALEUTIANS  
SUBSISTENCE REGIONAL ADVISORY COUNCIL**

**March 21 & 22, 2006  
City Chambers, Sand Point, Alaska**

**DRAFT MINUTES**

**Members Present:**

Vincent Tutiakoff, Adak  
Pete Squartsoff, Port Lions  
Al Cratty, Old Harbor  
Sam Rohrer, Kodiak  
Pat Holmes, Kodiak  
Paul Gundersen, Nelson Lagoon  
Jim Hamilton, Kodiak

**Excused:**

Speridon Simeonoff, Akhiok  
Richard Koso, Adak

**Unexcused Absence:**

Richard Zacharof, St. Paul

**Federal/State Agencies Present:**

**U.S. Fish and Wildlife Service, Office of Subsistence Management:**

Michelle Chivers, Steve Fried, Laura Greffenius

**U.S. Fish and Wildlife Service, Izembek National Wildlife Refuge:** Sandra Siekaniec

**Alaska Department of Fish and Game:** Lem Butler, Rob Baer

**Court Reporter:** Nathan Hile

**Public present:** Jennifer Thompson and Amy McGlodgie (Washington D.C.), Stanley Mack

**Call to Order**

Chair Tutiakoff called the meeting to order at 9:02 a.m. at the City Chambers Office in Sand Point.

**Roll Call/Confirmation of Quorum**

Pete Squartsoff, Secretary, called roll. Quorum was established.

**Election of Officers**

**Chair:** Paul Gundersen nominated Vince Tutiakoff. Pat Holmes nominated Speridon Simeonoff. Pete Squartsoff moved that nominations for Chair be closed; motion was seconded by Al Cratty. Ballots were counted for both nominees; there were a total of five votes for Vince and two votes for Speridon. Vince Tutiakoff remains Chair for another year.

**Vice Chair:** Paul Gundersen nominated Pete Squartsoff. Pete Squartsoff declined and nominated Mitch Simeonoff. Mitch Simeonoff remains Vice Chair for another year.

**Secretary:** Pat Holmes nominated Pete Squartsoff. Hearing to other nominations for Secretary, Pete Squartsoff remains Secretary for another year.

**Chair – Vince Tutiakoff**

**Vice Chair – Mitch Simeonoff**

**Secretary – Pete Squartsoff**

**Review and Adoption of Agenda**

After a few additions, Pete Squartsoff made a motion to adopt the agenda as amended. Motion seconded by Pat Holmes. Motion passed unanimously.

Pat Holmes made a motion to adopt the minutes of September 22, 2005. Motion seconded by Sam Rohrer. Motion passed unanimously.

### **Review of New Council Charter**

Ms. Chivers gave the Council an update on the changes that were made to the new charter which was signed on October 25, 2005. One change was that membership of the Council would be as follows: with four council members residing on Kodiak Island and three members residing on the Alaska Peninsula the Aleutian and Pribilof Islands, and three members would be commercial/sport representatives. The other change to the charter was removal of members: if a member has two consecutive unexcused absences of regularly scheduled meetings, the Chair of the Federal Subsistence Board may recommend that the Secretary of the Interior with concurrence of the Secretary of Agriculture remove that individual. A member may also be removed due to misconduct.

After a lengthy discussion, the Council asked that a letter be written to the Secretary of the Interior requesting that administrative authority be given to the Chair of the Federal Subsistence Board for appointments.

Pete Squartsoff made a motion to adopt the Charter. Motion was seconded by Paul Gundersen. Motion passed unanimously.

### **Chair's Report**

Chair, Vince Tutiakoff was unable to attend the meeting. Michelle Chivers gave the council a few moments to read the letter to the Council which described the actions taken by the Federal Subsistence Board at it's meeting in May.

### **Letter regarding Standing Committee**

Chair Tutiakoff read the February 2<sup>nd</sup> letter to the Council from the Chair of the Federal Subsistence Board. He asked how this letter came about.

Pat Holmes stated that three members from the Council got together with a couple of people from the State fish & game advisory committee and from the Kodiak National Wildlife Refuge to come up with a recommendation for a goat hunt. This committee worked real well, so Mr. Holmes thought the Council should have a standing committee to take care of issues as they arise, so he put together a letter requesting a standing subcommittee. Mr. Cratty and Mr. Squartsoff both agreed that the subcommittee worked well in getting a recommendation put together for the Council to consider.

Chair Tutiakoff stated that the Council would put this aside for now, but take it up again when an issue arises.

### **WILDLIFE PROPOSAL REVIEW AND REGIONAL COUNCIL RECOMMENDATION**

**Statewide Proposal WP06-01:** (Laura Greffenius) This proposal addresses the commercial sales of handicrafts made from bear claws. Last year the Federal Subsistence Board adopted the definition of handicrafts, the definition of skin, hide, pelt, and fur, with language that clarified that claws can be used in handicrafts for sale. However, the Board deferred the part of the proposal that addressed commercial sales to allow all ten councils time to review the Federal Subsistence Board's modified language. This proposal would remove commercial incentives for harvesting bears, thereby providing additional protection from possible overharvest of bear populations. The staff recommendation is to support the proposal after removing the proposed exemption for Southeast Alaska. Subsistence users in Southeast should be able to carry out their customary and traditional making and selling of bear claw handicrafts without selling to businesses or becoming a significant commercial enterprise.

and where they are going. Ms. Greffenius stated that that is a good question. That is one element that has been brought up as a concern with this particular proposal.

Pat Holmes asked how this relates to CITES treaties and other international treaties. He gave an example of some Koreans down in the Prince William Sound who were slaughtering bears and taking all the parts, including claws, bladders, teeth, and buying it in a black market arena. Ms. Greffenius stated that there again, that is a law enforcement issue.

Lem Butler, ADF&G, read the Departments comments into the record. The Department does not support this proposal and recommends that it not be adopted.

Two written comments were read into the record.

No public testimony.

Pat Holmes stated that he would vote against this proposal because of potential impacts to local communities involved in outfitting and guiding. And some folks are hurting for other income, this reflects on their use of subsistence items too.

Sam Rohrer asked if the Council could amend the proposal. Chair Tutiakoff said yes that can be done. Pete Squartsoff made a motion to amend the proposal to eliminate the sale of handicrafts made from claws or black or brown bears so they cannot be sold at all. And also strike paragraphs 8A and 8B regarding an entity operating as a business to make it against the law to sell bear claws regardless. Motion was seconded by Pat Holmes. Roll call vote was as follows: Squartsoff – yes; Holmes – yes; Rohrer – yes; Cratty – yes; Hamilton – yes; Tutiakoff – yes; Gundersen – no. There was some confusion about a main motion – but the Council made this amendment and voted 6 to 1 in favor of this motion.

**Statewide Proposal WP06-02** (Laura Greffenius). This proposal requests the Federal Subsistence Board authorize the sale of handicrafts made from nonedible byproducts of wildlife other than bears, harvested for subsistence uses. The intent of this proposal is to have Federal regulations align more closely with existing State regulations with respect to handicrafts, and to accommodate existing practices. This action will not alter existing harvest limits or seasons, therefore, it should have no impact on wildlife populations. This proposal would provide Federally qualified subsistence hunters the same opportunities that are currently available to those harvesting under State regulations. This proposal also prohibits sales from constituting a significant commercial enterprise. Definitions of big game and trophy are also defined in this proposal. The staff recommendation is to support the proposal as amended.

Lem Butler, ADF&G, stated that the Department also supports this proposal.

Written comments were read into the record.

Pat Holmes made a motion to support the proposal. Motion was seconded by Jim Hamilton. Motion passed unanimously.

**Proposal WP06-19/20** (Laura Greffenius). Proposals 19 and 20 were combined since they both were addressing caribou in Unit 9D. Proposal 19 was submitted by the Kodiak/Aleutians Regional Advisory Council would eliminate the cow hunt and decrease the harvest from two caribou to one bull in Unit 9D. Proposal 20 was submitted by ADF&G requesting elimination of the cow hunt as well while maintaining a harvest limit of two animals. Both proposals address conservation concerns about the declining population of the Southern Alaska Peninsula caribou herd in Unit 9D. The staff recommendation is to support Proposal 19 with modification to amend the harvest limits and eliminate the proposed closure of



Federal public lands. The staff recommendation for Proposal 20 would be to take no action given the action recommended for Proposal 19.

Sam Rohrer asked why it appeared that the numbers have doubled and dropped so much in the varying years. It appears the herd doubled in size and then was cut in half and then doubled in size again. Ms. Greffenius did not have an exact answer, but overall there have been issues with nutrition and disease, those are just some of the factors.

Jim Hamilton asked if someone could address how the surveys were conducted. Sandra Siekaniec, Izembek Refuge Manager, stated that the counts were done by aerial surveys. There are transect lines that they usually fly. They try to cover them all, however, they focus mostly on winter surveys because the caribou have moved to higher elevations and they are easier to count when there is snow on the ground. She stated that weather is a factor in how much of the area they can cover each year.

Pat Holmes stated that the declining calf numbers were more alarming than the population size. He asked if this was also reflective of other parts of the State, particularly Bristol Bay. All the herds are showing signs of declining productivity; the females are just not pregnant at the levels expected during population increases. With evidence of decreased productivity, pregnancy rates, decreased calf weights, this certainly suggests that there is nutritional stress involved, and nutritional stress may be associated with habitat limitations in terms of carrying capacity. They are conducting a study to determine if disease is a contributing factor. He also stated that in terms of counts, you can never accurately count every single caribou, what is presented is a minimum population estimate of the population size as a whole. There will be an annual variation with surveys. Population increasing or decreasing is much more important than the population size.

Pete Squartsoff stated that he was concerned about the subsistence users, so he made a motion to support Proposal 19 with modification to two bulls by Federal registration permit, and Federal public lands are closed to hunting of caribou except by Federally qualified subsistence users hunting under these regulations. Motion was seconded by Paul Gundersen.

Al Cratty asked Mr. Butler if the State has a registration hunt or a drawing hunt? Mr. Butler stated that currently it is a general harvest ticket which means anyone can go out and hunt. Pete Squartsoff asked if the State would consider a drawing hunt. Mr. Butler said that maybe the Council could consider submitting a proposal to the Alaska Board of Game.

Sam Rohrer felt that the proposed amendment was being too hasty in closing Federal public lands to all users except subsistence users. He thought that the numbers would allow for everyone to take one bull. Give it one year, and if the numbers keep declining, then close Federal public lands to all hunters except subsistence users.

Ms. Sandra Siekaniec added that she did get out to some communities to talk to people there. In Nelson Lagoon, the people there were concerned about the guides. One guide who hunted there took about 30 caribou. Ms. Siekaniec was concerned that if Federal public lands were closed to non-Federally qualified subsistence users, then Nelson Lagoon would be most impacted by this since they are surrounded by State lands. People suggested that the State should restrict the number of guides and hunters in the unit by having tag permits. There were some concerns in Cold Bay, because it is easiest to get caribou when they go into Cold Bay because there is a road system. There was also concern about the antlerless hunt because some cows were taken in the later season during this hunt. There was also some concern about disease, because there were some white cysts found in the heart of some caribou that had been harvested. She said for the most part that most people were concerned about maintaining their subsistence rights.

No written public comments.

**Public Testimony – Stanley Mack**

Mr. Mack has always had a problem with all the hunting. Every time he goes out hunting he brings everything back and it all goes in his freezer for food. For many, many years he's watched hunters leaving with antlers only – no meat. In the past few years, just recently, he has seen hunters taking out a little bit of meat, but up until that time he had not seen any meat coming out. So he felt that it would be helpful to monitor this much closer and to set up some regulations that might help the animal populations.

Back to Council deliberation:

Jim Hamilton said that in hearing all the discussion, he felt that the Council should really be looking at Proposal 20 to address cow hunting first. He is all for two bulls for subsistence or one for subsistence and one for non-resident. He knows this is happening in other regions as well, they are dealing with the same situation with the Northwest Arctic caribou herd.

Sam Rohrer stated that he likes the staff's recommendation to support the proposal with modification or to go with the State's recommendation of two bulls by Federal registration permit. If we take one step at a time, reduce the harvest, get rid of the harvest of females and see what the population does. If it continues to go down, then next year we can start looking at other options.

Al Cratty agreed with both Jim and Sam in going with the staff's recommendation. Mr. Cratty asked Mr. Mack how many caribou he felt would be adequate per household for subsistence. Mr. Mack thought two would be good for the winter, nothing less than that. Mr. Cratty thanked him for his testimony.

Pat Holmes stated that he wished there was some sort of mechanism to close the winter season and maybe have a registration hunt instead. But he thought the Council should support Proposal 20 at this time, and if it gets worse then consider one bull and closing Federal public lands. He is in support of Proposal 20.

Pete Squartsoff asked Mr. Butler if the Board would consider opening the State season at a later date. Mr. Butler stated that at the last Alaska Board of Game meeting, they changed the harvest limit from one caribou to one bull. The State season is currently open for hunting from August 10<sup>th</sup> through September 30 during the years when bear seasons are open. During the years when bear season is closed, the caribou hunt is only open till October 10<sup>th</sup>. The Council could propose something similar during some years. Most non-local hunters take caribou the last week of August up till about September 15 for the antlers. Pete Squartsoff stated that his concern is not for the antlers, but for the meat for the local residents.

Pat Holmes stated that it makes sense to take caribou at a later date because the meat will be kept cooler. Mr. Butler stated that the Council could submit a proposal to the Board of Game. The deadline for proposals for the Kodiak area is December 10<sup>th</sup>.

The motion was to support Proposal 19. Question was called on the motion. All Council members voted against support of this proposal.

Pete Squartsoff made a motion to support Proposal 20. Motion was seconded by Pat Holmes. Motion passed unanimously.

**Proposal WP06-21** (Laura Greffenius). Proposal 21 was submitted by the Kodiak/Aleutians Regional Advisory Council requesting that the opening date for the antlerless season for Sitka black-tailed deer in Unit 8 be changed from November 1 to October 1. This change would align Federal regulations with the opening date of the State regulations for deer in Unit 8 remainder. There should be no negative impact on

staff recommendation is to support the proposal.

Lem Butler, ADF&G, stated that the Department supports this proposal.

No written public comments.

Sam Rohrer made a motion to support the proposal. Motion was seconded by Pete Squartsoff. Motion passed unanimously.

### **Subsistence Use Amounts**

Pete Probasco (on-line) first apologized to the Council for not being able to attend the meeting due to a meeting he was required to attend in Anchorage. He stated that the purpose of this briefing was to introduce the draft subsistence use amounts protocol and to help the Council understand what the purpose of the protocol is, and to hopefully get guidance from the Council on how they would recommend proceeding with this protocol. The purpose of the protocol is to establish guidelines for how subsistence use amounts will be incorporated in the Federal Subsistence Program, primarily to make sure that we meet our objectives of the subsistence priority. The State already has something similar called Amounts Necessary for Subsistence which is already in regulation and utilized by the Alaska Board of Fisheries and the Alaska Board of Game. The purpose of this protocol is to develop the process for considering what portion of harvestable surplus is necessary for subsistence uses of fish and wildlife in the Federal Subsistence Program. This will be a guiding factor in determining how we meet the subsistence use priority. It is important to understand that these subsistence use amounts are NOT caps and they are not limits. It is an amount used by managers or the management agency to make sure that that number is met prior to allowing other uses. The Federal program will initially recognize and use the State ANS findings in the development and implementation of subsistence harvest regulations; however, we are not tied to them. If we find, for any reason, that the numbers are not sufficient to meet the subsistence priority for Federally qualified users, then we can change them. And SUA finds may be developed and used if the Federal program determines that an ANS finding is not an accurate representation of subsistence harvests. When developing SUAs, the Federal program will consider ANS findings. They will also consider recommendations from the Regional Advisory Councils, and additional subsistence harvest information from household surveys, etc. A lot of our dollars are being used to do community surveys and household surveys to determine what are the subsistence uses as well as the subsistence harvests. In order for us to accurately portray what is being taken in our rural communities, this research has to continue. In summary, this protocol is the document that will provide guidance to both State and Federal managers for coordinating subsistence use management. Having this quantifiable amount will enable Federal managers to know whether or not they're providing enough opportunity for subsistence uses. Vince Tutiakoff asked what the deadline is for submitting a recommendation. Mr. Probasco stated that they would like the Council's comments today if possible. Some of the other councils have been supportive of the document, but the majority of the councils are questioning the protocol document. The Board will not be acting on this document at its May meeting, so there is time, however the earlier the comments are received, the better, so we'll have time to sharpen the document.

Al Cratty suggested working with Liz Williams from ADF&G. She trained local people to go into these communities to do the surveys, so there is not an outsider or agency person coming in trying to gather information from people in the villages. This has worked really well in Old Harbor. Pat Holmes stated that he worked with Lisa Scarborough and the village of Atka and it worked well there also.

Pat Petrivelli stated that part of the problem is that the State and Federal define subsistence differently between State and Federal uses, and the other problem was that the numbers are so outdated.

Vince Tutiakoff stated that he felt like this subsistence use amounts protocol was just another fancy word for limited entry for subsistence users. Mr. Probasco stated that some of the other councils felt the same way, so maybe the protocol document needs to be better outlined to reflect that. He reemphasized that the SUA or the ANS amounts are only a guide. Al Cratty stated that in talking to some people, some of their biggest fears are something happening similar to the Area M problem. Are we intercepting their fish on the commercial end, will they close us down? Mr. Probasco gave the following example of how this method would be used if he was the manager at i.e. Karluk Lake, he would look at the ANS amount or SUA amount to make sure he had that many fish over and above the escapement number before he allowed any fishing at all, and it would remain that way until he had both the escapement number and the ANS/SUA number. Then fishing would be allowed. Vince Tutiakoff stated that that sounds reasonable, but one issue that remains fresh in his mind was what happened at McLees Lake, where the fish escapement in the last three to five years has dropped dramatically due to user groups, too many permits were being issued for the size of the community. If this information was available at that time, maybe they would not have had that problem. Pete Squartsoff stated that in Port Lions people would not go along with the survey because they feel that if they give the numbers, the numbers might seem too high and they will be cut off. Mr. Probasco stated that Port Lions is not the only community that feels that way. He also stated that if communities are under reporting then they may be hurting themselves, so it really is important to have an accurate reflection of their total use of those resources. Paul Gundersen asked what happens when people take their subsistence fish out of their commercial catch, because there really is no record of the amount taken. Mr. Probasco stated when the household surveys are conducted those subsistence fish would be recorded, regardless of where they came from.

Chair Tutiakoff stated that he, Pat Holmes, and Al Cratty will put together some comments and get them to Mr. Probasco as soon as they could. Mr. Tutiakoff thanked Mr. Probasco for his time. Chair Tutiakoff asked Council members if they had any additional comments. Paul Gundersen thought there were too many variables in the protocol as to how it will be laid out. He thought it would be really troublesome on a river system where the higher up river you go, the smaller the numbers they will get. Mr. Tutiakoff stated that that is a good example and what he sees happening is a limited entry coming for the subsistence user. Pat Holmes stated that on one hand it could be a good tool to protect, but on the other hand it could come around and bite you on the back side. Al Cratty said he sees a problem with the guides and transporters because with a limit it could affect his future if things were to go wrong with the use of this protocol. Sam Rohrer thought that maybe this would be good for the subsistence user by setting a bottom line for what they need to subsist on, this would make the Council's decision process a little easier if we knew before hand what is needed and if there is enough to keep an open season, but like Mr. Cratty said, if the numbers get too deflated then the other users will be cut off, but as long as they kept the baseline numbers pretty reasonable and they are not overinflating the numbers, then it would be good for the subsistence users. Mr. Tutiakoff stated that the definition for subsistence has changed at least three times in the past 12 years, and he views this as another avenue to change it again. This could turn into a big issue four to five years down the road where subsistence users will be on a limited entry. Pat Holmes stated that one question he had was how would the development of this prevent limits? Jim Hamilton stated that he is a hunting guide, but he also wears other hats, he and his kids also live the subsistence lifestyle and so he is finding this hard to understand as well. Al Cratty stated that the Council should take this to the communities, corporations, and tribes, to let them know what is going on here so they have an opportunity to submit their input as well. Chair Tutiakoff stated that he is asking for comments no later than August 1<sup>st</sup>, so all the Council members will have a chance to review them.

### **FISHERIES RESOURCE MONITORING PROGRAM**

Steve Fried said he would give the Council a brief update on the status of the FRMP studies and an update on where FIS is with the Strategic Planning. There were no action items for the Council to take up at this time.

First, in terms of status of projects, there were 15 projects funded since 2000. Those studies are completed and there are reports on those studies on the web site of the Office of Subsistence Management. The last time a study was funded for the Kodiak/Aleutians area was 2004. No studies were funded for 2005 or 2006, but they are working through the call for proposals for 2007. He provided the Council with a table of six studies received and what the Technical Review Committee recommended for those studies. All but one of those six studies was forwarded by the TRC. He thought maybe in the next Strategic Planning Workshop that maybe the participants would be a little more specific on areas that need to be worked on.

Secondly, in terms of statewide efforts in strategic planning, there are two reports that are completed and are posted on the OSM website, and those are the Southcentral (Prince William Sound area) and the Southwest (Bristol Bay/Chignik) strategic plans. The office actually did use those reports for the 2007 call for proposals. So these reports are very important to the program. A workshop was held for the Kodiak/Aleutians and they will be having a second work group to finish the plan. At the second workshop the next step will be to do an information inventory to see what information is actually available, which will be good for the next three or four years. The second workshop is scheduled for May 3<sup>rd</sup> and 4<sup>th</sup>. A draft report from the last workshop has been sent to all of the participants.

Robert Baer, Alaska Department of Fish and Game, gave the Council an update on the status of the Afognak Lake sockeye salmon assessment project. He stated that OSM has funded this project for the last few years, and there were five major objectives put together to evaluate this lake system. 1) estimate the smolt production; 2) evaluate lake nutrients and chemistry with limnology; 3) measure usable spawning habitat; 4) determine the sockeye salmon production potential; and finally, 5) to compile all this into a final report. This 2006 season will be the final season. He gave a powerpoint slide presentation showing examples of things like out-migration timing; tables showing the history of data collected; the biomass of zooplankton; outlayers of water chemistry; a historical escapement graph. Since this is the final season for this study they will do the smolt production, and they will be monitoring the lake with limnology, and compile all the data into a final report. Pat Holmes asked if he could explain the change in the escapement goal. Mr. Baer stated that the escapement goal has dropped based on a spawner recruitment curve based on fish returning and what the system is capable of supporting, and based on how much forage base is available. He also stated that while doing the stream surveys in August, they also noted a lot of Dolly Varden. These fish prey on out-migrating fry, so this is an issue that needs to be addressed. Mr. Holmes asked Mr. Fried if they have done any studies of Dolly Varden in the Bristol Bay area. Mr. Fried stated that what they did was capture Dolly Varden, pump their bellies to figure out on an average how many smolts were in their stomachs so see how many smolts were being eaten. So the idea was to capture as many Dolly Varden as they could and keep them in pens until the smolt migration was over, hoping that those fish would survive. They actually hired a purse seiner to do this. They did determine that some of the char were eating smolt, but they also found that some of them were only eating insects and snails. It was difficult to evaluate the effectiveness of these efforts. There were bounties on char prior to statehood, but there were problems with that program, including people turning in salmon tails to collect the char bounty money. He also stated that the Federal Subsistence management program does not conduct predator control.

At this point (4:45p.m.) the Council recessed for the day.



## DAY TWO

### AGENCY REPORTS

#### U.S Fish and Wildlife Service – Office of Subsistence Management

**Rural Determination Update** – For the record, the Council expressed the fact that they will continually support Kodiak remaining rural. Chair Tutiakoff asked for a motion on support. Pete Squartsoff made a motion to support the continuing eligibility of Kodiak Island as a rural designation for subsistence priority for fish and wildlife on Federal public lands. Motion was seconded by Al Cratty. Motion passed unanimously.

Pat Holmes asked that the March 21 letter be attached to the motion of support.

Pete Squartsoff made a motion to support the designation of Adak Island from non-rural to rural for the purpose of the use of fish and wildlife resources on Federal public lands and waters. Motion was seconded by Paul Gundersen. Motion passed unanimously.

#### **Draft Closure Review Policy** (Laura Greffenius).

Ms. Greffenius briefed the Council on the types of existing closures, many of which have been in place since the inception of the Federal Subsistence program in 1990. There are season closures which came from State regulations; closures because of conservation concerns; administrative closures for public safety; closures to non-Federally qualified users where there is a subsistence priority when there is a conservation concern. She stated that every three years these need to be looked so the review process will be presented at the fall meetings since at that time the wildlife proposals will be submitted. What is in the booklet is a more abbreviated version of the analyses, it gives the pertinent information of when the closure was initiated and why, biological background and resource information, harvest information. At the end, it will give a staff recommendation, and the Council would make a recommendation to support or amend, just like the regulatory proposals. Comments on this draft closure policy are due no later than April 1<sup>st</sup>. Pat Holmes made a motion to support the draft policy. Motion was seconded by Sam Rohrer. Motion passed unanimously.

#### **Izembek National Wildlife Refuge**

Sandra Siekaniec, Refuge Manager for the Izembek NWR, went over the refuge report with the Council. Regarding brant, the new rules for this year were published, and it affects the Izembek area and the Yukon Delta area, they will have a special black brant and cackling goose hunt closure from when the birds start laying their eggs until the young birds are fledged. For the Izembek area, they are shortening the season by about 15 days. Instead of closing on August 31, it will close on August 16. For emperor geese, current populations are at about 56,000, they must be at an average of 60,000 for three consecutive years before a hunting season will be opened. Pat Holmes asked why it has to be a three-year average. Ms. Siekaniec stated that just because it shows a high number for one year that the population has stabilized, you have to have a consistent population to make sure you have a harvestable population. Al Cratty asked if eggs can still be taken in the Yukon-Kuskokwim Delta area. Ms. Siekaniec stated that it is totally closed. Pete Squartsoff asked if when the birds are counted, are they counted in the same areas at the same time or is it possible that these birds could be moving to a different area? Ms. Siekaniec stated that it is possible that they could winter in another area. With regard to Avian Influenza they have discovered that wild birds are getting the H5N1 virus from domestic birds. But there have been no reports of the virus being transferred from birds to humans. This virus is like a flu virus, so hygiene is critical. So if you are handling birds, you have to make sure you immediately wash your hands afterward. Also, if you are finding dead birds, please call us, but I would advise you to not touch them. Sea otters have been listed as a threatened species. If you find any sea otters carcasses, please call us so we can evaluate it to find out what the cause of death was. With regard to the King Cove road and the environmental impact assessment, it was determined that several of the easements we have are not in areas that people have

access to. So they will be looking at moving easements from one spot to another where they are more accessible to the public.

### **Alaska Department of Fish and Game**

Lem Butler stated that he did not have a formal report for the Council. He reminded the Council that they are welcome to submit a proposal through the Alaska Board of Game process to effect changes in Unit 9 to the State regulations. He offered to try to assist the Council with some ideas if to submit a proposal if they so wish. Paul Gundersen stated that he brought up this issue at the last meeting and said he was going to talk to people in the community, but he could not generate enough interest to get a proposal put together for that meeting. Now we're looking at another year again for submitting proposals. Al Cratty mentioned to Mr. Gundersen that he should try to get together with his tribal councils and city entities to get something drawn up as to what they'd like to do before it gets too bad. Sam Rohrer asked when the next cycle is for the Alaska Board of Game. Mr. Butler stated that the next Alaska Board of Game meeting for Southcentral will be March of 2007. Proposals are due by December 10, 2006. Another thing to keep in mind is that the Board put together a Commercial Services Board to address things like limiting guides to a certain number of clients. Pat Holmes stated that maybe the Council should consider assigning Mr. Gundersen to work with Lem Butler to see if they can develop some proposals that might help particularly in areas of the peninsula where there are more State lands than Federal public lands. Chair Tutiakoff stated that the Council did not want to go as far as eliminating non-Federally qualified users at this point, but he said that hopefully Mr. Gundersen will work with those communities to draft something to put before the Board before its next meeting.

Pete Squartsoff asked Mr. Butler if there has been any talk of transplanting deer out in that area. Mr. Butler stated that he thought that any efforts to transplant deer may be blocked by the refuge. If the deer naturally disburse in that area he was sure that they would do well in that area. Mr. Squartsoff felt that it would take pressure off caribou in that area for subsistence users.

Jim Hamilton asked Mr. Butler if there is a better way to get a handle on the cow to calf ratio as to what is causing the problem. Mr. Butler stated that for one thing the main limiting factor is funding at this time. The wildlife division is making an effort to increase license fees to they can generate some revenue to pursue projects along those line. Recently, the Office of Subsistence Management helped fund a caribou project to deploy 30 radio collars on adult female caribou, and they will be taking fecal and blood samples while they are deploying the collars to see if there is any evidence of disease that they are finding in the Northern Peninsula herd. If funding permits, they also want to do parturition surveys, just prior to pregnancy, to determine how many caribou are pregnant. So he will certainly look for any cooperative efforts with other agencies to see if they can get some of these projects started for the Southern Peninsula herd.

Vince Tutiakoff asked if there is a process to get a recommendation to fund some of these projects. Laura Greffenius stated that the 809 agreements, cooperative agreements, are what they are using for the collaring project. She was not sure on the exact date for the next call for proposals, but she will get back to the Council with that information.

Jim Hamilton asked if there was a way to get a proposal considered before the next meeting in 2007. Mr. Butler stated that as an area biologist he has a lot of control over seasons and bag limits and has the authority to make in-season adjustments on a limited level. Secondly, that they could submit an emergency petition to the Alaska Board of Game. Ms. Greffenius stated that on the Federal side there is what's called a special action. These are temporary and are written up just like a proposal, but not as lengthy. This would be a temporary action for a specific period of time.

problems, with funding coming from whatever source is available. Motion was seconded by Pete Squartsoff. Motion passed unanimously.

**Time and Place for the 2006 Fall meeting and the 2007 Winter meeting**

The Council confirmed the September 21<sup>st</sup> and 22<sup>nd</sup> dates in Kodiak for its Fall meeting. The Council chose March 12<sup>th</sup> and 13<sup>th</sup> in King Cove for the 2007 Winter meeting with Cold Bay as the backup meeting location.

**Adjournment**

Al Cratty made a motion to adjourn. Motion seconded by Pete Squartsoff. Motion passed unanimously. Meeting adjourned at 10:30a.m.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

Michelle Chivers, DFO  
USFWS Office of Subsistence Management

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Vince Tutiakoff, Chair, Kodiak/Aleutians Subsistence Regional Advisory Council

These minutes will be formally considered by the Regional Advisory Council at its next meeting, and any corrections or notations will be incorporated in the minutes of that meeting.



FWS/OSM/805cLtr

Mr. Vincent M. Tutiakoff Sr., Chair  
Kodiak/Aleutians Subsistence Regional  
Advisory Council  
Post Office Box 1971  
Adak, Alaska 99546

Dear Mr. Tutiakoff:

Enclosed with this letter is a report of the Federal Subsistence Board's actions at the January 10 through 13, 2006 meeting regarding proposed changes to subsistence fisheries regulations. The Board used a consent agenda on those proposals where the Council, the Interagency Staff Committee, and the Alaska Department of Fish and Game were in agreement. The Board adopted the consent agenda at the conclusion of the meeting. Details of these actions and the Board's deliberations are contained in the meeting transcripts. Transcripts are online at the Office of Subsistence Management website, <http://alaska.fws.gov/asm/index.htm>, and copies may be obtained by calling our toll free number, 1-800-478-1456.

The Federal Subsistence Board appreciates the Kodiak/Aleutians Subsistence Regional Advisory Council's active involvement in and diligence with the regulatory process. The ten Regional Advisory Councils continue to be the foundation of the Federal Subsistence Program, and the stewardship shown by the Regional Advisory Council chairs and their representatives at the Board meeting was noteworthy.

If you have any questions regarding the summary of the Board's actions, please contact your Regional Council Coordinator, Michelle Chivers, at 1-800-478-1456 or 1-907-786-3877.

Sincerely,

s/s MITCH DEMIENTIEFF

Mitch Demientieff, Chair  
Federal Subsistence Board

Enclosure

cc: K/ASRAC  
K/A Regional Team, OSM  
Division Chief, OSM  
FACA Coordinator, OSM

## FEDERAL SUBSISTENCE BOARD ACTION REPORT

### January 2006 Meeting

#### *Statewide Proposal*

#### **PROPOSAL FP06-01**

DESCRIPTION: Permit the sale of handicrafts made by rural Alaskans from the nonedible byproducts of subsistence-harvested fish or shellfish. Submitted by U.S. Fish and Wildlife Service.

#### COUNCIL RECOMMENDATION/JUSTIFICATION:

Southeast Alaska: Support. The Council found that the proposal would benefit subsistence users by recognizing existing practices which use fish parts in regalia and in handicrafts; both of which are traditionally sold in Southeast Alaska. No changes in fish harvest are anticipated, there is no conservation concern associated with this proposal, and no effects on non-subsistence users are likely to take place.

Southcentral Alaska: Support. The Council supported the proposal to allow the sale of handicrafts made from nonedible byproducts of subsistence harvested fish or shellfish. The Council recognized that the proposal will provide for existing practices and will allow the same opportunities to subsistence users under Federal regulations which the State is proposing under State regulations.

Kodiak/Aleutians: Support. The Council stated that this is a traditional practice. This will allow full utilization of a subsistence resource.

Bristol Bay: Support. The Council stated that there were no conservation concerns for freshwater fish or salmon. The proposal would allow current customary and traditional practices to continue and these values would be passed onto generations after. And lastly, the Council didn't feel there would be wanton waste of freshwater fish and salmon, because residents wouldn't be exploiting the resources solely for commercial enterprise.

Yukon-Kuskokwim Delta: Support. The Council felt this proposal will accommodate current practices and help subsistence users. Local Yup'ik people utilize fish and shellfish nonedible byproducts for their handicrafts, such as wallets made of fish skins.

Western Interior Alaska: Support. The Council supports the proposal because traditionally people within the region made various items out of fish skins, in particular fish skin boots. Also, with the high price of fuel and supplies needed for subsistence harvest activities, the sale of fish handicrafts would help cover those costs. A recent cultural camp near Nulato taught youth how to make boots from fish skins.

Seward Peninsula: Support with modification to eliminate the words "the nonedible" and "(including, but not limited to, skin, shell, fins, and bones)." There are differences state wide about what is considered nonedible. The Council was not concerned that over-harvest would occur because handicrafts could only be made from the byproducts of subsistence-harvested fish.

Northwest Arctic: Support. The Council voted unanimously to support this proposal.

Eastern Interior Alaska: Support. The Council reviewed and agreed with the staff analysis.

North Slope: Support. The Council noted that there is some use of fish byproducts for handicrafts in the North Slope Region and that this is another way to help some of the people in the villages to make a living.

BOARD ACTION: Adopt, as recommended by nine of ten Regional Advisory Councils.

JUSTIFICATION: Adoption of the proposal acknowledges a practice described in ANILCA, provides the same opportunities to subsistence users under Federal regulations as the State is proposing under State regulations, and simplifies regulations. This Board action will not provide any additional opportunity for subsistence users (because current salvage regulations require that the harvest be primarily for consumption), and is not expected to result in an increase in fish harvests. This Board action is not expected to create conservation concerns.

### ***Alaska Peninsula Area***

#### **PROPOSAL FP06-06**

DESCRIPTION: Provide Federally qualified subsistence users additional fishing opportunities in some locations of the Alaska Peninsula Area by reducing the area closed to subsistence fishing when there are commercial openings nearby. Submitted by the Bristol Bay Subsistence Regional Advisory Council.

#### COUNCIL RECOMMENDATION/JUSTIFICATION:

Kodiak/Aleutians: Support with modification to add the word “sections.” The Council felt that this proposal would allow additional subsistence fishing opportunities in some Alaska Peninsula locations by reducing areas closed to subsistence fishing when commercial openings are nearby. The Council also felt that it makes sense to have parallel State and Federal regulations. This will help subsistence users.

Bristol Bay: Support with modification to include the language, “sections” that can be closed to subsistence fishing before and after a commercial opening. The Council stated the modified proposal would simplify the regulations, increase subsistence opportunities in some areas, and align with State regulations. Including the word “section” to the regulation change would allow Federal regulations to align with any State action to close subsistence fishing before and after a commercial opening for a specific section within a district.

BOARD ACTION: Adopt with modification, as recommended by the Kodiak/Aleutians and Bristol Bay Subsistence Regional Advisory Councils.

JUSTIFICATION: This proposal was adopted with modification through the consent agenda.

**UNITED STATES DEPARTMENT OF THE INTERIOR  
KODIAK/ALEUTIANS SUBSISTENCE REGIONAL ADVISORY COUNCIL**

**CHARTER**

1. **Official Designation:** Kodiak/Aleutians Subsistence Regional Advisory Council.
2. **Objectives and Scope of Activity:** The objective of the Council is to provide an administrative structure that enables residents of the region who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and of subsistence uses of those resources on public lands in the region.
3. **Period of Time Necessary for the Council's Activities and Termination Date:** The Council is expected to exist into the foreseeable future. Its continuation is, however, subject to rechartering every biennial anniversary of the Alaska National Interest Lands Conservation Act of December 2, 1980. The Council will take no action unless the requirements of the Federal Advisory Committee Act have been complied with.
4. **Official to Whom the Council Reports:** The Council reports to the Federal Subsistence Board Chair, who is appointed by the Secretary of the Interior with the concurrence of the Secretary of Agriculture.
5. **Support Services:** The U.S. Fish and Wildlife Service, Department of the Interior, will provide administrative support for the activities of the Council.
6. **Duties of the Council:** The Council possesses the authority to perform the following duties:
  - a. Initiate, review and evaluate proposals for regulations, policies, management plans, and other matters relating to subsistence uses of fish and wildlife on public lands within the region.
  - b. Provide a forum for the expression of opinions and recommendations by persons interested in any matter related to the subsistence uses of fish and wildlife on public lands within the region.
  - c. Encourage local and regional participation in the decision making process affecting the taking of fish and wildlife on the public lands within the region for subsistence uses.
  - d. Prepare an annual report to the Secretary containing the following:
    - (1) An identification of current and anticipated subsistence uses of fish and wildlife populations within the region.
    - (2) An evaluation of current and anticipated subsistence needs for fish and wildlife populations within the region.
    - (3) A recommended strategy for the management of fish and wildlife populations within the region to accommodate such subsistence uses and needs.
    - (4) Recommendations concerning policies, standards, guidelines and regulations to implement the strategy.
  - e. Make recommendations on determinations of customary and traditional use of subsistence resources.
  - f. Make recommendations on determinations of rural status.
  - g. Provide recommendations on the establishment and membership of Federal local advisory committees.

The Council will perform its duties in conformity with the Regional Council Operations Manual.

7. **Estimated Operating Costs:** Annual operating costs of the Council are estimated at \$100,000, which includes one person-year of staff support.
8. **Meetings:** The Council will meet at least twice each year at the call of the Council, Council Chair, Federal Subsistence Board Chair, or Designated Federal Officer with the advance approval of the Federal Subsistence Board Chair and the Designated Federal Officer, who will also approve the agenda.
9. **Membership:** The Council's membership is as follows:

Ten members who are knowledgeable and experienced in matters relating to subsistence uses of fish and wildlife and who are residents of the region represented by the Council. To ensure that a diversity of interests is represented, it is the goal that seven of the members (70 percent) represent subsistence interests within the region, with four members residing on Kodiak Island and three members residing on the Alaska Peninsula, the Aleutian and Pribilof Islands, and that three of the members (30 percent) represent commercial or sport interests within the region.

The Secretary of the Interior will appoint members based on the recommendations of the Federal Subsistence Board and with the concurrence of the Secretary of Agriculture.

**Vacancy:** Whenever a vacancy occurs among Council members appointed under paragraph 9, the Secretary will appoint an individual in accordance with paragraph 9 to fill that vacancy for the remainder of the applicable term.

**Terms of Office:** Except as provided herein, each member of the Council will serve a 3-year term with the term ending on December 2 of the appropriate year unless a member of the Council resigns prior to the expiration of the 3-year term or he/she is removed for cause by the Secretary upon recommendation of the Federal Subsistence Board. Members will be notified of their appointment in writing. If resigning prior to the expiration of a term, members will provide a written resignation.

**Election of Officers:** Council members will elect a Chair, a Vice-Chair, and a Secretary for a 1-year term.

**Removal of Members:** If a Council member appointed under paragraph 9 has two consecutive unexcused absences of regularly scheduled meetings, the Chair of the Federal Subsistence Board may recommend that the Secretary of the Interior with the concurrence of the Secretary of Agriculture remove that individual. A member may also be removed due to misconduct.

**Compensation:** Members will receive no compensation as members. Members will, however, be allowed travel expenses, including per diem, in the same manner as persons employed intermittently in government service are allowed such expenses under 5 U.S.C. 5703.

10. **Ethics Responsibilities of Members:** No Council or subcommittee member will participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.
11. **Designated Federal Officer or Employee:** Pursuant to Section 10(e) of the Federal Advisory Committee Act, the Designated Federal Officer will be the Federal Regional Coordinator or such other

Federal employee as may be designated by the Assistant Regional Director - Subsistence, Region 7, U.S. Fish and Wildlife Service.

12. **Authority:** The Council is reestablished by virtue of the authority set out in the Alaska National Interest Lands Conservation Act (16 U.S.C. 3115 (1988)).

/sgd/ Gale A. Norton  
Secretary of the Interior

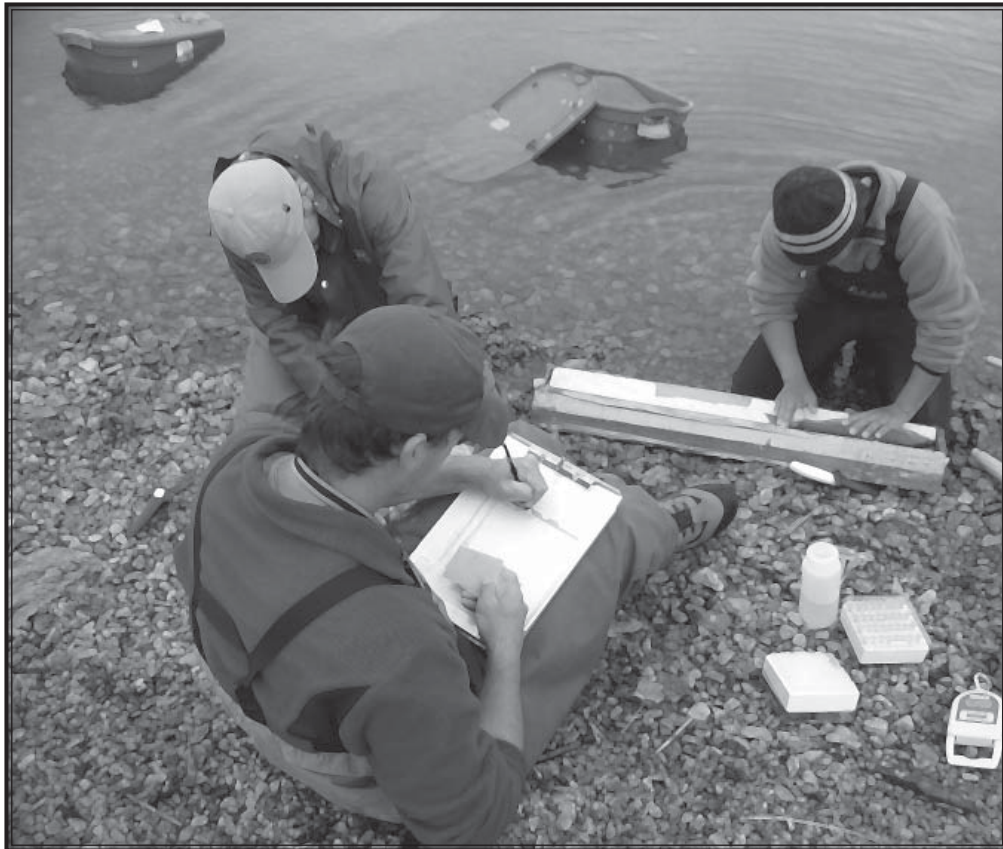
October 25, 2005  
Date Signed

October 27, 2005  
Date Filed

**DRAFT**

**2007**

**FISHERIES RESOURCE MONITORING PLAN**





## INTRODUCTION

### BACKGROUND

Since 1999, under the authority of Title VIII of ANILCA, the Federal government has assumed management responsibility for subsistence fisheries on Federal public lands in Alaska. Expanded subsistence fisheries management has imposed substantial new informational needs for the Federal system. Section 812 of ANILCA directs the Departments of Interior and Agriculture, cooperating with the State of Alaska and other Federal agencies, to research fish and wildlife and subsistence uses on Federal public lands. To increase the quantity and quality of information available for management of subsistence fisheries, the Fisheries Resource Monitoring Program (Monitoring Program) was created within the Office of Subsistence Management. The Monitoring Program was envisioned as a collaborative inter-agency, inter-disciplinary approach to enhance existing fisheries research, and effectively communicate information needed for subsistence fisheries management on Federal public lands.

Original guidance for the Monitoring Program was provided by the Federal Subsistence Board and outlined in the *Operational Strategy for Information Management*<sup>1</sup>. The Regional Advisory Councils (Councils) have identified important issues and information needs for their regions, with review and update on an annual basis. To ensure that the Monitoring Program addresses the highest priority information needs for Federal subsistence fisheries management, the Office of Subsistence Management began a strategic planning process in 2004 to build on the work done by the Councils. Facilitated workshops for the Southwest, Southcentral, and Southeast regions have been held over the last three years with representatives of Federal and State agencies, academia, Alaska Native and rural organizations, and Councils. Participants at each workshop identified fisheries units for their region; developed goals, objectives, and information needs for each fishery unit; and then prioritized fishery units, goals, objectives and information needs. Final workshop reports for the Southcentral region and Bristol Bay-Chignik area have been completed<sup>2</sup>, and results were used to guide the 2007 Request for Proposals. The Kodiak-Aleutians report should be completed by November 2006, the first workshop for the Northern Alaska Region is tentatively scheduled for spring 2007, and plans for the remaining regions should be completed within three years.

*The mission of the Monitoring Program is to identify and provide information needed to sustain subsistence fisheries on Federal public lands, for rural Alaskans, through a multidisciplinary, collaborative program.*

To implement the Monitoring Program, a collaborative approach is utilized where five Federal agencies (Fish and Wildlife Service, Bureau of Land Management, National Park Service, Bureau of Indian Affairs, and USDA Forest Service) work with the Alaska Department of Fish and Game, Regional Advisory Councils, Alaska Native organizations, and other organizations. An inter-agency Technical Review Committee provides scientific evaluation of proposals and investigation plans. Public review and recommendations for funding are provided through the Councils. An inter-agency Staff Committee reviews all recommendations, and reconciles differences between staff and public recommendations. The Federal Subsistence Board (Board) approves annual monitoring plans with the benefit of both a technical recommendation by the Technical Review Committee and public review by the Regional Advisory Councils.

<sup>1</sup> Krueger, C., Brelsford, T., Casipit, C., Harper, K., Hildebrand, I., Rost, P., Thompson, K., and Jones, L. 1999. *Federal Subsistence Fisheries Management: Operational Strategy for Information Management. Report to the Federal Subsistence Staff Committee by the Sub-Committee for the Development of a Blueprint for Interagency Functions, Roles, and Responsibilities.* 122 p.

<sup>2</sup> *Strategic Plan for the Subsistence Fisheries Resource Monitoring Program, Southcentral Region, 2004; Strategic Plan for the Subsistence Fisheries Resource Monitoring Program, Bristol Bay-Chignik Area, 2005.* Copies available on Office of Subsistence Management website: <http://alaska.fws.gov/asm/index.htm>.



The purpose of this section is to present the Technical Review Committee's funding recommendations for the 2007 Monitoring Plan.

## PROJECT EVALUATION PROCESS

The Technical Review Committee evaluates proposals, and subsequently full investigation plans, and makes recommendations for funding. The committee is chaired by the Chief of the Office of Subsistence Management Fisheries Information Services Division, and is composed of representatives from each of the five Federal agencies and three representatives from the Alaska Department of Fish and Game. An additional anthropologist from the Minerals Management Service provides additional social science expertise on the Technical Review Committee and provides a balance of disciplines. Staff from Fisheries Information Services provides support for the committee.

Four factors are used to evaluate studies:

### 1. Strategic Priority

Proposed projects should address the following and must meet the first criteria to be eligible for Federal subsistence funding.

***Federal Jurisdiction***—Issue or information needs addressed in projects must have a direct association to a subsistence fishery within a Federal conservation unit as defined in legislation, regulation and plans.

***Conservation Mandate***—Risk to the conservation of species and populations that support subsistence fisheries, and risk to conservation unit purposes as defined in legislation, regulation and plans.

***Allocation Priority***—Risk of failure to provide a priority to subsistence uses, and risk that subsistence harvest needs will not be met.

***Data Gaps***—Amount of information available to support subsistence management (higher priority given where a lack of information exists).

***Role of Resource***—Contribution of a species to a subsistence harvest (e.g., number of villages affected, pounds of fish harvested, miles of river) and qualitative significance (e.g., cultural value, unique seasonal role).

***Local Concern***—Level of user concerns over subsistence harvests (e.g., upstream vs. downstream allocation, effects of recreational use, changes in fish abundance and population characteristics).

### 2. Technical-Scientific Merit

The project must meet accepted standards for design, information collection, compilation, analysis, and reporting. Projects should have clear study objectives, an appropriate sampling design, correct statistical analysis, a realistic schedule and budget, and appropriate products, including written reports. Projects must not duplicate work already being done.

### 3. Investigator Ability and Resources

Investigators must have the ability and resources to successfully complete the proposed study. This will be evaluated using the following information for each investigator:

#### **Ability**

- Education and training
- Related work experience
- Publications, reports, and presentations
- Past or ongoing work on Monitoring Program studies

#### **Resources**

- Office and laboratory facilities
- Technical and logistic support
- Personnel and budget administration

#### **4. Partnership-Capacity Building**

Partnerships and capacity building are priorities of the Monitoring Program. ANILCA mandates that the Federal government provide rural residents a meaningful role in the management of subsistence fisheries, and the Monitoring Program offers tremendous opportunities for partnerships and participation of local residents in monitoring and research. Investigators are requested to include a strategy for integrating local capacity development in their investigation plans. Investigators must complete appropriate consultations with local villages and communities in the area where the project is to be conducted. Letters of support from local organizations add to the strength of a proposal. Investigators and their organizations should demonstrate their ability to maintain effective local relationships and commitment to capacity building.

### **POLICY AND FUNDING GUIDELINES**

Several policies have been developed to aid in implementing funding.

- Studies must be non-duplicative with existing projects.
- Most Monitoring Program funding is dedicated to non-Federal sources.
- Activities not eligible for funding under the Monitoring Program include: a) habitat protection, restoration, and enhancement; b) hatchery propagation, restoration, enhancement, and supplementation; c) contaminant assessment, evaluation, and monitoring; and d) projects where the primary objective is capacity building (e.g., science camps, technician training, intern programs). These activities would most appropriately be addressed by the land management agencies.
- Proposals may be funded for up to three years duration.

#### **Finances and Guideline Model for Funding**

The Monitoring Program was first implemented in 2000, with an initial investment of \$5 million. Since 2001, a total of \$6.25 million is annually allocated for the Monitoring Program. The Department of Interior, through the U.S. Fish and Wildlife Service, annually provides \$4.25 million. The Department of Agriculture, through the U.S. Forest Service, annually provides \$2 million. On an annual basis, this budget funds both continuations of existing studies (year-2 or 3 of multi-year projects), and new study starts. Budget guidelines are established by geographic region and data type, and for 2007, \$3.97 million is available for new starts. Proposals are solicited according to the following two data types.

##### **1. Stock Status and Trends Studies (SST).**

These projects address abundance, composition, timing, behavior, or status of fish populations that sustain subsistence fisheries with nexus to Federal public lands. The budget guideline for this category is two-thirds of available funding.

**2. Harvest Monitoring and Traditional Ecological Knowledge (HM-TEK).**

These projects address assessment of subsistence fisheries including quantification of harvest and effort, and description and assessment of fishing and use patterns. The budget guideline for this category is one-third of available funding.

**2007 FISHERIES RESOURCE MONITORING PLAN**

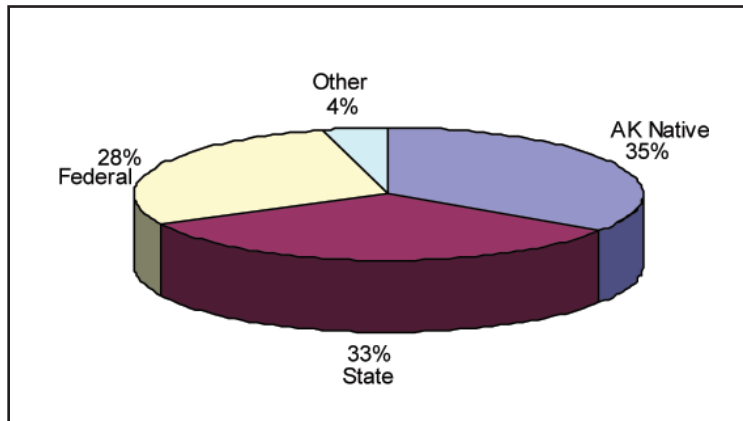
For 2007, a total of 38 investigation plans are under consideration for funding (Table 1). Of these, 30 are SST projects and 8 are HM-TEK projects. The Technical Review Committee recommends funding 35 of these investigation plans.

Total funding available for new projects in 2007 is \$3.97 million while the proposed cost of funding all 38 projects submitted would be \$4.14 million. The 35 projects recommended for funding by the Technical Review Committee would have a total cost of \$3.80 million. In making their recommendations, the committee also weighed the importance of funding new projects in 2007 with the knowledge that only about \$2.2 million will be available for new projects in 2008. As has been done in past years, any unallocated Monitoring Program funds from the current year will be used to increase the amount of funding available for the subsequent year.

As recommended by the Technical Review Committee, the 2007 Monitoring Plan would provide 35% of the funding to Alaska Native organizations, 28% to Federal agencies, and 33% to State agencies (Figure 1).

**Table 1.** Number of investigation plans received for funding consideration in 2007, and number recommended for funding by the Technical Review Committee. Data types are stock status and trends (SST), and harvest monitoring and traditional ecological knowledge (HM-TEK).

Geographic Region	Investigation Plans			Technical Review Committee		
	SST	HM-TEK	Total	SST	HM-TEK	Total
Northern Alaska	3	1	4	3	1	4
Yukon	5	3	8	5	2	7
Kuskokwim	6	0	6	6	0	6
Southwest Alaska	5	3	8	5	1	6
Southcentral Alaska	4	0	4	4	0	4
Southeast Alaska	7	1	8	7	1	8
Total	30	8	38	30	5	35



**Figure 1.** Distribution of 2007 funding to Alaska Native, Federal, State, and other organizations.

## **HOW TO PROVIDE YOUR COMMENTS**

We invite your review and comments on the draft Fisheries Resource Monitoring Plan for 2007. Regional Advisory Councils will have an opportunity to review the draft Monitoring Plan during Council meetings in the fall of 2006.

Your comments are welcome by October 20, 2006. These will be compiled along with Council comments and will be presented to the Federal Subsistence Board when it meets in January 2007. Written comments may be submitted to:

Office of Subsistence Management  
Attn: Kathy Orzechowski  
3601 C Street, Suite 1030  
Anchorage, AK 99503  
Phone: 1-800-478-1456 Fax: 907-786-3612  
E-mail: [fisheries\\_resource\\_monitoring@fws.gov](mailto:fisheries_resource_monitoring@fws.gov)

## **SOUTHWEST REGION OVERVIEW**

### **ISSUES AND INFORMATION NEEDS**

The two Southwest Regional Advisory Councils, the Bristol Bay and Kodiak-Aleutians Councils, have identified important issues and information needs for their regions, with review and update on an annual basis. The Office of Subsistence Management also began a strategic planning process in 2004, which was completed for the Bristol Bay and Chignik areas in 2005 and will be completed for the Kodiak, Alaska Peninsula, and the Aleutian Islands areas by November 2006. Based on the Bristol Bay-Chignik Strategic Plan, the 2007 Request for Proposals identified three high priority subsistence fishery units, including Bristol Bay Salmon, Chignik Salmon, and Bristol Bay-Chignik Non-Salmon. The 2007 priority information needs for the Kodiak-Aleutians are based on the information needs lists developed through the Council. Information topics include salmon stock assessment and monitoring, subsistence uses and practices, and concerns for small stocks in mixed stock salmon fisheries.

### **PROJECTS CURRENTLY FUNDED UNDER THE FISHERIES RESOURCE MONITORING PROGRAM**

Since the inception of the Monitoring Program in 2000, 34 projects have been funded in the Southwest Region, and three will still be operating during 2007 (Table 1). One of these ongoing projects addresses Lake Clark sockeye salmon, one addresses Perryville-Chignik coho and sockeye salmon, and one addresses Lake Clark whitefish.

### **PROJECTS FORWARDED FOR INVESTIGATION PLAN DEVELOPMENT**

Eighteen proposals for research in the Southwest region were submitted to the Office of Subsistence Management. The Technical Review Committee reviewed these proposals and recommended ten (six SST and four HM-TEK) for development of investigation plans. However, four proposals were withdrawn by the investigators. For the other five SST and two HM-TEK projects, investigators generally responded to the Technical Review Committee proposal review comments in developing their investigation plans. Detailed budgets submitted with each investigation plan allowed identification of funds requested by Alaska Native, State, Federal, and other organizations; funds that would be used to hire local residents; and matching funds from investigating agencies and organizations (Tables 2 and 3).

### **AVAILABLE FUNDS**

Federal Subsistence Board guidelines direct the initial distribution of funds among regions and data types. For 2007, \$403,000 is available for funding new projects in the Southwest Region, which is comprised of the Kodiak, Alaska Peninsula, Aleutian Islands, Chignik, and Bristol Bay management areas. Two thirds of this (\$269,000) is available to fund SST projects, and one-third (\$134,000) is available to fund HM-TEK projects.

**Table 1.** Summary of projects funded under the Subsistence Fisheries Resource Monitoring Program in the Southwest Region, 2000–2007. Abbreviations used for investigators are: ADFG=Alaska Department of Fish and Game, APIA= Aleutian-Pribilof Islands Association, BBNA=Bristol Bay Native Association, ISU=Idaho State University, KANA=Kodiak Area Native Association, NTC= Nondalton Tribal Council, NPS=National Park Service, USFWS=U.S. Fish and Wildlife Service, USGS=U.S. Geological Survey, UW=University of Washington.

Project Title	Investigators	Budget (\$000s)							
		2000	2001	2002	2003	2004	2005	2006	2007
Bristol Bay Salmon									
Togiak River Salmon Weir	USFWS	\$16.0	\$50.0	\$50.0					
Sockeye Salmon Escapement Estimation in the Alagnak River Drainage	ADFG, NPS, BBNA	\$43.7	\$115.5	\$108.5					
Angler Effort Index for the Alagnak River	ADFG	\$40.2							
Lake Clark Sockeye Salmon Assessment	USGS	\$78.0	\$129.0						
Togiak River Subsistence Harvest Monitoring	BBNA, ADFG, USFWS		\$55.5	\$46.6	\$30.3				
Collection of Traditional Ecological Knowledge on Sockeye Salmon Harvest Patterns in Nondalton, Alaska	NPS, NTC		\$22.2						
Escapement Estimates and Population Monitoring Lake Clark Sockeye Salmon	USGS, UW		\$116.9	\$112.3	\$88.4				
Traditions, Knowledge and Customs of Alaska Peninsula/Becharof NWR Complex and Naknek River Subsistence Fisheries	ADFG, BBNA		\$40.1	\$63.5					
Harvest assessment of the recreational fishery for salmon in the Alagnak River	ADFG		\$133.3						
Estimation of coho salmon escapement in the Ugashik lakes system, Alaska Peninsula Refuge	USFWS, ADFG, BBNA		\$87.7	\$94.2	\$85.6				
Fisheries Biotechnician Training Program	NPS				\$22.0				
Lake Clark Sockeye Salmon Run Timing	ADFG				\$136.9	\$20.9	\$76.8		
Sharing, Bartering, and Trading in Subsistence Resources in Bristol Bay	ADFG, BBNA				\$74.3	\$99.7	\$27.6		
Lake Clark Sockeye Salmon Escapement	NPS, USGS					\$43.3	\$43.8	\$44.2	
Subtotal		\$177.9	\$750.2	\$475.1	\$226.3	\$211.2	\$163.9	\$148.2	\$44.2
Chignik Salmon									
Estimate Coho Salmon Escapement and Carrying Capacity in the Kametlook River	USFWS, BBNA			\$20.1	\$26.4	\$14.6			
Estimation of Late Run Sockeye and Coho Salmon Escapement in the Clark River, a Tributary to Chignik River	USFWS, BBNA			\$37.9	\$13.9	\$1.4			
Estimation of Coho Salmon Escapement in Streams Adjacent to Perryville, Alaska Peninsula National Wildlife Refuge	USFWS					\$11.4	\$11.4		
Perryville-Chignik Coho Salmon and Late-run Sockeye Salmon Aerial Surveys	USFWS						\$14.7	\$29.4	\$29.4
Subtotal		\$0.0	\$0.0	\$58.0	\$40.3	\$27.4	\$26.1	\$29.4	\$29.4
Bristol Bay-Chignik Freshwater Species									
Genetic Baseline Development for Dolly varden in Togiak River	USFWS	\$26.8	\$7.8						
Traditional Knowledge of Fish in the Bristol Bay Area	ADFG	\$39.6							
Subsistence Fisheries Assessment: Kvichak River Watershed Resident Species	ADFG, BBNA	\$30.9		\$31.0	\$29.1				
Ungalikthik and Negukthik Rivers Rainbow Trout Assessment	USFWS					\$38.9			
Tazimina Rainbow Trout Assessment	ADFG					\$111.0			
Lake Clark Whitefish Assessment	ADFG, BBNA						\$71.0	\$101.0	\$62.1
Subtotal		\$97.3	\$7.8	\$31.0	\$29.1	\$149.9	\$71.0	\$101.0	\$62.1
Total Bristol Bay-Chignik Monitoring Program									
		\$275.2	\$758.0	\$564.1	\$295.7	\$388.5	\$261.0	\$278.6	\$135.7

Continued on next page

Table 1. Continued.

Project Title	Investigators	Budget (\$000s)							
		2000	2001	2002	2003	2004	2005	2006	2007
Kodiak-Aleutians									
Stock Assessment of Sockeye Salmon from the Buskin River, Kodiak	ADFG	\$18.5	\$49.5	\$80.0	\$57.6				
Estimation of Sockeye Salmon Escapement into McLees Lake, Unalaska Island	USFWS		\$88.6	\$77.4	\$80.5				
Estimation of Sockeye and Coho Salmon Escapement in Mortenson Creek, Izembek National Wildlife Refuge	USFWS		\$121.3	\$85.9	\$83.6				
Subsistence Fisheries Harvest Assessment and Traditional Ecological Knowledge, Lower Alaska Peninsula and Aleutians	ADFG, APIA, ISU			\$91.8	\$46.0				
Afognak Lake Sockeye Salmon - Smolt Enumeration Feasibility	ADFG				\$38.2				
Estimation of Sockeye and Coho Salmon Escapement in Mortenson Creek, Izembek National Wildlife Refuge	USFWS					\$94.7	\$92.8	\$92.8	
Estimation of Sockeye Salmon Escapement into McLees Lake, Unalaska Island	USFWS					\$79.0	\$76.5	\$79.0	
Stock Assessment of Afognak Lake Sockeye Salmon	ADFG					\$83.8	\$68.4	\$68.7	
Stock Assessment of Sockeye Salmon from the Buskin River, Kodiak	ADFG					\$64.2	\$65.2	\$67.0	
Subsistence fisheries harvest assessment and traditional knowledge, Kodiak	ADFG, KANA					\$60.9	\$82.2	\$19.2	
Total Kodiak-Aleutians Monitoring Program									
		\$18.5	\$259.4	\$335.1	\$305.9	\$382.6	\$385.1	\$326.7	\$0.0
Total Southwest Region Monitoring Program									
		\$293.7	\$1,017.4	\$899.2	\$601.6	\$771.1	\$646.1	\$605.3	\$135.7

**Table 2.** Southwest Region project costs, by organization (Alaska Native, State, Federal, other), for investigation plans submitted to the Fisheries Resource Monitoring Program for funding consideration in 2007.

Project Number	Title	Project Costs (\$000s)			
		AK Native	State	Federal	Other
Stock Status and Trends Projects					
07-401	Afognak Lake Sockeye Salmon Smolt & Lake Assessment		\$76.7		
07-402	Buskin River Sockeye Salmon Weir		\$99.2		
07-404	Perryville-Clark River Coho-Sockeye Aerial Counts				
07-405	McLees Lake Sockeye Salmon Weir	\$12.4	\$1.1	\$66.4	
07-408	Togiak River Rainbow Smelt Assessment	\$12.7	\$65.4		
Harvest Monitoring and Traditional Ecological Knowledge Projects					
07-452	Kvichak Watershed Subsistence Fishing Ethnography	\$20.0	\$118.4	\$7.7	
07-455	Adak Island Subsistence Fishing	\$10.1			\$80.2

**Table 3.** Southwest Region local hire and matching funds for investigation plans submitted to the Fisheries Resource Monitoring Program for funding consideration in 2007. Abbreviations used for investigators are: ADFG=Alaska Department of Fish and Game, EDAW=Private Consulting Firm, USFWS=U.S. Fish and Wildlife Service.

Project Number	Lead	Title	Funding (\$000s)	
			Local Hire	Matching
Stock Status and Trends Projects				
07-401	ADFG	Afognak Lake Sockeye Salmon Smolt & Lake Assessment	\$33.3	\$48.7
07-402	ADFG	Buskin River Sockeye Salmon Weir	\$25.9	\$22.5
07-404	USFWS	Perryville-Clark River Coho-Sockeye Aerial Counts		
07-405	USFWS	McLees Lake Sockeye Salmon Weir	\$10.8	\$36.5
07-408	USFWS	Togiak River Rainbow Smelt Assessment	\$9.9	
Harvest Monitoring and Traditional Ecological Knowledge Projects				
07-452	ADFG	Kvichak Watershed Subsistence Fishing Ethnography		
07-455	EDAW	Adak Island Subsistence Fishing	\$10.1	\$25.0



## PRIORITIES FOR FUNDING

After reviewing the seven investigation plans, the Technical Review Committee prioritized projects in the following descending order.

07-402	Buskin River Sockeye Salmon Weirs	\$ 99,200
07-404	Perryville-Clark River Coho-Sockeye Aerial Counts	\$ 0
07-401	Afognak Lake Sockeye Assessment	\$ 76,726
07-405	McLees Lake Sockeye Weir	\$ 79,964
07-452	Kvichak Watershed Subsistence Fishing Ethnography	\$ 146,119
07-408	Togiak River Rainbow Smelt Assessment	\$ 78,141
07-455	Adak Island Subsistence Fishing	\$ 90,300

Brief descriptions of each project follow (see Executive Summaries for more details):

- **Buskin River Sockeye Salmon Weirs.** This project would provide three annual estimates of sockeye salmon spawning escapement into the Buskin River through operation of two weirs, and obtain information on residency and traditional fishing sites of subsistence fishery participants. This study would continue work funded through the Fisheries Resource Monitoring Program since 2000 in response to the State's inability to continue funding weir operations.
- **Perryville and Clark River Coho-Sockeye Aerial Counts.** This project would monitor coho salmon runs in the Kametlook and adjacent drainages as well as the late-run sockeye salmon run into Clark River, a tributary to Chignik Lake, using two annual aerial surveys conducted from a helicopter. This study would continue the annual monitoring surveys funded through the Monitoring Program since 2003 in response to subsistence closures on the Kametlook River and reports of difficulty in harvesting late-run Clark River sockeye salmon for subsistence uses.
- **McLees Lake Sockeye Weir.** This project would provide three annual estimates of sockeye salmon spawning escapement into McLees Lake through operation of a weir. This study would continue work funded through the Monitoring Program since 2001 in response to the State's inability to continue funding weir operations.
- **Afognak Lake Sockeye Assessment.** This project would provide three annual estimates of actual sockeye salmon smolt production from Afognak Lake as well as annual assessments of juvenile/smolt production capacity of Afognak Lake. This study would continue work funded through the Monitoring Program since 2003 in response to a run decline that began in 2001 and subsequent subsistence fishing restrictions that occurred during the 2002–2004 seasons.
- **Kvichak Watershed Subsistence Fishing Ethnography.** This project would provide a rich ethnographic description of subsistence sockeye salmon fisheries of Nondalton, Newhalen, Iliamna, and Port Alsworth, and describe changing subsistence salmon fishing strategies and patterns that have developed over the last 20 to 25 years.
- **Togiak River Rainbow Smelt Assessment.** This project would provide basic life history information on Togiak River rainbow smelt, including spawning locations, run-timing, and age, sex, and length composition of both the run and subsistence harvest. Rainbow smelt are an important component of the subsistence harvests of Togiak, Twin Hills, and Manakotak, yet little is known about this species.

- **Adak Island Subsistence Fishing.** The goal of this study is to characterize the cultural context of contemporary subsistence fishing and analyze whether conservation management strategies are needed to ensure the protection of subsistence fishing in Adak. Project objectives are to: 1) identify the role subsistence fishing plays in Federal conservation waters today; 2) document subsistence fishing locations identified as being important; 3) better understand the importance these areas will have in the future; and 4) capture relevant traditional ecological knowledge that has been passed down to current users, as well as relevant forms of knowledge that may have evolved since the reestablishment of the civilian community. A majority of the Technical Review Committee had concerns over the applicability of the information to Federal subsistence management because of the areas nonrural status. However, Adak is currently under consideration for a change of status to rural and one member of the committee felt that the project would provide important information to address potential regulatory proposals stemming from this change in status.

## RECOMMENDATIONS FOR FUNDING

The Technical Review Committee recommended funding six of the seven projects under consideration in the Southwest Region. Available funding for the region only allows for funding five of the seven projects. However, after recommendations had been developed for all regions, some funds still remained unallocated. The committee examined the list of projects they had not initially recommended for funding during regional reviews to determine whether any were of great enough strategic importance and scientific merit to fund from remaining unallocated monies. For the Southwest Region the Technical Review Committee recommended that the *Togiak River Rainbow Smelt Assessment* project, also be funded to fill an information gap for an important subsistence species. The six Southwest Region projects recommended for funding by the committee comprise a strong Monitoring Plan for that region by addressing strategically important information needs based on sound science and by promoting cooperative partnerships (Table 4).

**Table 4.** Funding recommendations by the Technical Review Committee (TRC) for Southwest Region projects, 2007 Fisheries Resource Monitoring Program.

Project Number	Title	TRC	Requested Budget (\$000s)		
			2007	2008	2009
Stock Status and Trends Projects					
07-401	Afognak Lake Sockeye Salmon Smolt & Lake Assessment	Yes	\$76.7	\$76.7	\$81.0
07-402	Buskin River Sockeye Salmon Weir	Yes	\$99.2	\$78.1	\$79.2
07-404	Perryville-Clark River Coho-Sockeye Aerial Counts	Yes	\$0.0	\$31.0	\$31.0
07-405	McLees Lake Sockeye Salmon Weir	Yes	\$80.0	\$75.9	\$78.0
07-408	Togiak River Rainbow Smelt Assessment	Yes	\$78.1	\$78.4	\$31.8
Harvest Monitoring and Traditional Ecological Knowledge Projects					
07-452	Kvichak Watershed Subsistence Fishing Ethnography	Yes	\$146.1	\$111.8	\$42.3
07-455	Adak Island Subsistence Fishing	No	\$90.3	\$50.2	\$0.0
Total			\$570.4	\$502.1	\$343.3
Funding Guideline			\$403.0		
TRC Recommendation			\$480.1	\$451.9	\$343.3

## EXECUTIVE SUMMARIES

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**Project Number:** 07-401  
**Project Title:** Stock Assessment and Restoration of the Afognak Lake Sockeye Salmon Run  
**Geographic Region:** Southwest  
**Data Type:** Stock Status and Trends  
**Principal Investigator:** Steven Honnold, ADFG Division of Commercial Fisheries  
**Co-Investigator(s):** Stephen Schrof and Robert Baer, ADFG Division of Commercial Fisheries

**Cost:** **2007:** \$76,726                      **2008:** \$76,726                      **2009:** \$81,039

### RECOMMENDATION: Fund

#### ISSUE

The investigators will continue to assess sockeye salmon production at Afognak Lake in response to the declining adult runs that began in 2001 and have continued through 2005. In response to the declining runs from 2001 to 2004, State and Federal managers closed subsistence fishing in early June during the 2002 season, and in-season closures have occurred each year through 2005 in an attempt to achieve the escapement goals for sockeye salmon into Afognak Lake. This project will continue investigations started in 2003 that were intended to develop possible strategies for increasing future sockeye salmon production for the subsistence fishery in Afognak Bay. Moreover, the Kodiak/Aleutians Subsistence Regional Advisory Council has determined the Afognak Lake sockeye assessment and monitoring project to be one of their highest priority issue and information needs.

#### OBJECTIVES

1. Estimate the number, age, and average size at age of sockeye salmon smolt emigrating from Afognak Lake from 2007–2009.
2. Evaluate the water chemistry, nutrient status, and plankton production of Afognak Lake from 2007–2009.
3. Assess the rearing conditions for juvenile sockeye salmon in Afognak Lake based upon completion of objectives 1 and 2.

#### Methods

A smolt trap will be installed in the Afognak River to capture a portion of the sockeye salmon smolt outmigration from Afognak Lake. Trap efficiency will be determined using mark-recapture techniques in order to estimate the total sockeye salmon smolt outmigration from Afognak Lake. Associated trapping, handling, and marking mortality will be determined.

The ADFG field crew will collect age, weight, and length data from 40 sockeye salmon smolt per day for five consecutive days per week. These data will be used to estimate the age composition and average length,

weight and condition factor by age of the Afognak Lake sockeye salmon smolt outmigration. ADFG staff will also collect limnology information from Afognak Lake, including water chemistry, nutrient, phytoplankton, zooplankton, temperature, dissolved oxygen, and light penetration data. Lake samples will be analyzed in Kodiak at the ADFG limnology laboratory. Investigators will use the smolt information along with limnology and other freshwater data to assess the carrying capacity for juvenile sockeye salmon in Afognak Lake.

## **PARTNERSHIPS/CAPACITY BUILDING**

ADFG biologists are currently working with administrators in the Kodiak Island Borough School District's Rural Schools Office to educate students on the Afognak Lake sockeye salmon project and its importance to the subsistence users. ADFG biologists will travel to the Villages of Port Lions and Ouzinkie, and local Kodiak area schools for a visual presentation of the project. Contact with the Native Village of Afognak, Inc. is underway to foster a relationship for planning future trips to the project site for village members and discuss the work being done at the Afognak Lake system in an attempt to increase sockeye salmon production to Afognak Lake for subsistence purposes.

The ADFG will give preference to locals, including qualified residents of the Villages of Port Lions and Ouzinkie, when hiring sampling crews. If appropriate, internships will be developed through the University of Alaska to provide career-track positions. Local employees will be trained in various biological data collection techniques and will be educated in many research applications that assist with salmon management.

## **JUSTIFICATION**

This project is of high strategic importance for the Kodiak Management Area, is technically sound, is a continuation of work successfully conducted since 2003, and has a reasonable schedule and budget for the proposed work. The investigators have a proven record of successfully conducting, administering, and completing other Fisheries Resource Monitoring Program projects. While capacity building would have been adequate as described in the original proposal, hiring local research assistants and developing the student internship for local residents represents a substantial improvement. The investigators have incorporated Technical Review Committee proposal recommendations concerning strengthening of capacity building and information sharing into the investigation plan.

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**Project Number:** 07-402  
**Project Title:** Buskin River Sockeye Salmon Stock Assessment and Monitoring,  
Kodiak, Alaska  
**Geographic Region:** Southwest  
**Data Type:** Stock Status and Trends  
**Principal Investigator:** Donn Tracy, ADFG Division of Sport Fish

**Cost:** **2007:** \$99,200                      **2008:** \$78,100                      **2009:** \$79,200

**RECOMMENDATION:**                      **Fund**

**ISSUE**

Investigators will annually enumerate escapement and sample age composition of sockeye salmon into the Buskin River drainage for inseason management of subsistence and other fisheries and development of a biological escapement goal. Investigators will also interview subsistence fishers to determine demographics of participants and use of harvested fish, and previous and potential future participation in subsistence fisheries in the area.

**OBJECTIVES**

1. Census the sockeye salmon escapement into Buskin and Louise Lakes from June 1 through August 15.
2. Estimate the age composition of the combined subsistence harvest in the Buskin River Section of Chiniak Bay and sockeye salmon escapement into Buskin Lake from June 1 to August 15 such that the estimates are within 5 percentage points of the true value 95% of the time.
3. Estimate the age composition of the sockeye salmon run to Louise Lake from June 1 to August 15 such that the estimates are within 7.5 percentage points of the true value 95% of the time.
4. Evaluate the sockeye salmon biological escapement goal.
5. Census the residence of subsistence fishery participants.
6. Estimate the distribution of use of subsistence-harvested fish, and the historic and potential future use of the Buskin River subsistence fishery such that all estimates are within 8 percentage points of the true values 95% of the time.

**METHODS**

Investigators will install a salmon counting weir on the Buskin River and Lake Louise tributary to annually census the spawning escapement of sockeye salmon. Additionally, sockeye salmon will be sampled at the weirs and from the subsistence harvest for age, sex and length, providing estimates of the combined escapement and subsistence harvest by age within 25% of the true values 95% of the time. Analyses of the return and age data will be incorporated into a brood table. Past estimates of total return, using sample sizes similar to those proposed here have been associated with a relative precision of about 12%. Collection of return and age data at this level of sampling will improve information in the brood

table and, subsequently, evaluation of the biological escapement goal. Participants in the fishery will be surveyed to estimate the residency and fish stock(s) traditionally harvested by fishery participants.

## **PARTNERSHIPS/CAPACITY BUILDING**

The investigators promote local hire of federally qualified subsistence users as project technicians. During each year of funding the investigators will continue a student intern program established in 2003 to provide education and career development opportunity for subsistence users. Through cooperation with the Kodiak National Wildlife Refuge (KNWR) the investigators have utilized the Buskin River weir as an educational tool for the KNWR Summer Science and Salmon Camp program.

## **JUSTIFICATION**

This project addresses priority information needs for the Kodiak Management Area, is technically sound, is a continuation of work successfully conducted since 2000, and has both a reasonable schedule and budget for the proposed work. The investigators have a proven record of successfully conducting, administering, and completing other Fisheries Resource Monitoring Program projects. The investigators were responsive to recommendations made by the Technical Review Committee during their review of the initial proposal, and were generally successful in addressing these within the investigation plan. Further clarification is needed within the Methods section concerning the reasoning behind the investigators' decision to interview 150 subsistence fishers during the season and why this would result in estimates of "the distribution of use of subsistence-harvested fish, and the historic and potential future use of the Buskin River subsistence fishery...that...are within 8 percentage points of the true values 95% of the time." Finally, minor discrepancies in subsistence harvest numbers for 2002 and 2003 reported in the investigation plan should be resolved with harvest numbers for these years included in the 2004 annual report for project 04-414.



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**Project Number:** 07-404  
**Project Title:** Estimation of Coho Salmon Escapement in Streams Adjacent to Perryville and Sockeye Salmon Escapement in Clark River, Alaska Peninsula National Wildlife Refuge  
**Geographic Region:** Southwest  
**Data Type:** Stock Status and Trends  
**Principal Investigator:** Jim Larson, USFWS, King Salmon Fish and Wildlife Field Office

**Cost:** 2007: \$0                      2008: \$31,000                      2009: \$31,000

**RECOMMENDATION:**                      **Fund**

**ISSUE**

Conservation and subsistence concerns still exist for coho salmon stocks in the Kametolook drainage, and subsistence effort has expanded to adjacent drainages. During Regional Advisory Council meetings and at the Perryville Subsistence Working Group meetings, local residents stated that they were now taking coho salmon from other streams outside the immediate vicinity of Perryville. In many ways, these streams are similar to streams near Perryville in that they are short, high gradient streams with limited coho salmon abundance. In order to prevent over harvest of these small coho salmon stocks, escapement and harvest levels need to be monitored.

Sockeye salmon in the Chignik watershed are an important species for commercial and subsistence harvest. Subsistence fishers from the Chignik Villages target late run sockeye salmon. In recent years, subsistence fishers in the Chignik area have had difficulty harvesting enough late run fish and are concerned that this run has declined and may be over-exploited by the commercial fishery. We need to monitor sockeye salmon escapement in the Chignik watershed to ensure escapement is maintained to meet subsistence needs for residents of the Chignik villages.

The King Salmon Fish and Wildlife Field Office proposes to continue monitoring adult coho salmon returns in streams near Perryville, and to continue monitoring late run sockeye salmon returns to Clark River, a tributary to Chignik Lake. The run timing of these stocks is similar and lend themselves to concurrent monitoring. This project addresses Priority Need #1 for the Chignik Unit identified for the 2007 Fisheries Resource Monitoring Program by providing escapement information for late-run sockeye salmon in the Clark River, and addresses Priority Need #2 for the Chignik Salmon Unit by providing coho salmon escapement information for systems draining into Ivanof, Humpback, Anchor, and Ivan bays. Continuation of this project will increase baseline escapement data and provide a better understanding of run timing and adult production in these systems.

**OBJECTIVES**

1. Estimate minimum numbers of coho salmon returning to streams near the village of Perryville.
2. Estimate minimum numbers of late run sockeye salmon returning to the Clark River, a tributary to Chignik Lake.



## **METHODS**

Two aerial surveys will be conducted annually (one in late September/early October, and one in mid to late October) using low-level helicopter flights. An observer will fly all of the chosen stream reaches in the study area (streams in Ivanof, Humpback, Anchor, and Ivan bays, and the Clark River) and count coho and sockeye salmon from a low-flying helicopter. We will coordinate our flights to avoid periods of turbid flow to minimize counting error. Our assumption is that aerial counts will provide a minimum estimate of escapement. We will not expand the counts.

## **PARTNERSHIPS/CAPACITY BUILDING**

The project has developed partnerships between the villages of Perryville and Chignik and the King Salmon Fish and Wildlife Field Office through meetings that utilized the local knowledge to identify streams for monitoring. The local citizens have the knowledge of where fishing pressure has shifted with the closure of the local rivers, and thus where monitoring is necessary to ensure escapement needs are met. In-season communication with the local residents is also conducted to determine if salmon escapement is sufficient to satisfy subsistence needs in the survey area, and to coordinate survey timing.

## **JUSTIFICATION**

This project is of high strategic importance for the Chignik Management Area, is a continuation of work successfully conducted since 2003, and has both a reasonable schedule and budget for the proposed work. The investigator has a proven record of successfully conducting, administering, and completing other Fisheries Resource Monitoring Program projects. While it would be preferable to have quantifiable objectives to monitor these runs, it would not be feasible or cost-effective to modify this project to accomplish this due to frequent storms, high water events, and the difficulty to access most of these streams.

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**Project Number:** 07-405  
**Project Title:** Estimation of Sockeye Salmon Escapement into McLees Lake, Unalaska Island  
**Geographic Region:** Southwest  
**Data Type:** Stock Status and Trends  
**Principal Investigator:** Jim Larson, USFWS King Salmon Fish and Wildlife Field Office  
**Co-Investigator(s):** Sharon Livingston, Qawalangin Tribe  
Forest Bowers and Matt Foster, ADFG Division of Commercial Fisheries

**Cost: 2007:** \$79,964                      **2008:** \$75,929                      **2009:** \$77,961

**RECOMMENDATION:**                      **Fund**

**ISSUE**

The King Salmon Fish and Wildlife Field Office is seeking to continue monitoring the sockeye salmon escapement into McLees Lake for an additional three years. Sockeye salmon returns to McLees Lake have varied greatly over the past five years ranging from 12,097 in 2005 to 101,793 in 2002. Continuation of this project will increase the baseline escapement data and provide a better understanding of system productivity. A better understanding of productivity is necessary to manage the subsistence fishery and know the level of exploitation on this stock. If annual production results in run sizes around the 2005 escapement, there is the potential for this stock to be highly exploited. However, if the 2002 and 2003 escapements are typical, then concerns of high exploitation are not warranted at the current harvest level. At this time we do not have a clear pattern of escapement into McLees Lake. Without this information the management of the subsistence fishery will be conservative. Conservative management could limit subsistence fishing opportunities unnecessarily. If the need for an escapement goal arises in the future, the continued monitoring we propose will provide information necessary for the development of an escapement goal for this system. Managers need a better understanding of McLees Lake sockeye salmon production to maximize subsistence opportunities while protecting the health of the population. Additionally, continuation of this project will provide information needed to determine the effects the large escapements of 2002 (97,780) and 2003 (101,793) had on the dynamics of this stock. The sockeye salmon run is important to local subsistence users in Unalaska.

**OBJECTIVES**

1. Enumerate the daily passage of sockeye salmon through the weir;
2. Describe the run-timing, or proportional daily passage, of sockeye salmon through the weir;
3. Estimate the sex and age composition of sockeye salmon such that simultaneous 90% confidence intervals have a maximum width of 0.20; and
4. Estimate the mean length of sockeye salmon by sex and age.

## **METHODS**

The U.S. Fish and Wildlife Service will install and operate a flexible picket weir at the outlet of McLees Lake. The weir will be operated from approximately May 30 to August 15 during each year of the project. A trap and holding area will be located on the upstream side of the weir to facilitate sampling and passing adult salmon through the weir. Fish will be passed and counted intermittently between 0800 and 2300 hours each day. All fish passing upstream will be identified to species and enumerated. Data on sockeye salmon age, sex, and length will be collected weekly. Sampling will consist of measuring length, determining sex, collecting scales, and then releasing the fish upstream of the weir.

## **PARTNERSHIP/CAPACITY BUILDING**

This project will assist in developing partnerships between the U.S. Fish and Wildlife Service, the Qawalangin Tribe of Unalaska, and the Alaska Department of Fish and Game. Capacity building will occur with the Qawalangin Tribe by their direct participation in the collection of escapement data that will be used to develop management strategies for the Reese Bay subsistence fishery. The King Salmon Fish and Wildlife Field Office crew leader will act as a mentor with the purpose of training the local technicians to become crew leaders for future weir operations. Local technicians will be trained in the installation and operation of a fish weir, biological sampling procedures, and data collection and verification methods. In conjunction with the University of Alaska Fairbanks Marine Advisory Program representative, annual project presentations will be given to the community of Unalaska.

## **JUSTIFICATION**

This project is of high strategic importance for the Aleutian Islands Management Area, is technically sound, is a continuation of work successfully conducted since 2001, and has both a reasonable schedule and budget for the proposed work. The Principal Investigator has a proven record of successfully conducting, administering, and completing other Fisheries Resource Monitoring Program projects. The investigators addressed Technical Committee proposal review comments by including information on variance estimates for mean length in the Methods section for Objective 4 and omitting Objective 5 concerning escapement goal development. The investigators also need to include information in the Methods section on their intention to report standard errors and ranges of mean lengths, by age and sex, as they have done for projects 01-059 and 04-403.

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**Project Number:** 07-408  
**Project Title:** Stock Assessment of Rainbow Smelt in the Togiak River  
**Geographic Region:** Southwest  
**Data Type:** Stock Status and Trends  
**Principal Investigator:** Jim Larson, USFWS King Salmon Fish and Wildlife Field Office  
**Co-Investigator(s):** Robbin LaVine, Bristol Bay Native Association  
Pat Walsh, USFWS Togiak National Wildlife Refuge

**Cost:** **2007:** \$78,141                      **2008:** \$78,352                      **2009:** \$31,827

**RECOMMENDATION:**                      **Fund**

**ISSUE**

Rainbow smelt are among the most harvested non-salmon fish by subsistence users in the villages of Togiak and Twin Hills. The only information on smelt in southwest Alaska is the documented subsistence harvest surveys conducted by ADFG and Bristol Bay Native Association. Conservation managers need basic life history data such as sex and age composition, in addition to harvest information, to maximize subsistence opportunities while continuing to protect the health of the population. This project would be the first steps in furthering our understanding of the life history of an important subsistence species. This project addresses two of the six priority information needs for the Bristol Bay-Chignik non-salmon group.

**OBJECTIVES**

1. Estimate age and sex composition of spring spawning populations of rainbow smelt in the Togiak River such that simultaneous 90% confidence intervals have a maximum width of 0.20.
2. Estimate age and sex composition of rainbow smelt harvested by the winter subsistence fishery in the Togiak River such that simultaneous 90% confidence intervals have a maximum width of 0.20.
3. Estimate mean length of rainbow smelt in the Togiak River by sex, age, and time of year.
4. Describe the maturation rate from November to June.
5. Identify spawning locations and timing of rainbow smelt in the Togiak River.
6. Conduct larval assessment as index of relative run strength.

**METHODS**

A two-year sampling regime will begin in 2007 with winter sampling during the subsistence harvest season followed by spring sampling from mid-May through June 2008. Rainbow smelt will be harvested during the winter subsistence fishery and analyzed for age, length, sex, food habits, and maturity. Locations for sampling will be determined by accessing local knowledge of customary fishing areas; time and dates to fish will be scheduled to match as closely as possible the schedule used by the subsistence fishers. Fish will be frozen and shipped to the King Salmon Fish and Wildlife Field Office for processing.

Beginning in May, a three person crew will access the lower Togiak River by boat, sampling for spawning locations, egg and larvae collection, run timing, and population characteristics. Sampling will be conducted using a long-handled dip net, a variable-mesh monofilament gill net and a seine net. Sampling locations include a gravel bar located about 200 m upstream from the mouth of the Togiak River as well as other spawning areas correlated with the gull activity and other surface disturbances associated with spawning activity. We will examine each location with a small under-water video camera and sample the substrate directly below. This sampling regime will allow for comparison between fish targeted by the subsistence fishery in the winter and fish found in the river during the spring spawning run.

Spawning productivity estimates based on in-river, egg and larval density measurements will be used to develop an index of larval smelt abundance that will be used to monitor the long-term population trends of the Togiak rainbow smelt. Variation in vulnerability and catchability of adults can be a problem with other assessment techniques that use seines, trawls, gill nets or traps. Ichthyoplankton catchability, however, is relatively constant, as most targets are small (< 15 mm), and unable to avoid the nets. Fishing skill usually is not a complicating factor in capturing larvae so catchability or sampling variation is minimal. For these reasons, larval samples may provide better unbiased estimates of the population than samples from other gear types. Ichthyoplankton surveys that utilized replicate sampling and bootstrapping techniques derived consistent estimates with relatively tight confidence intervals.

## **PARTNERSHIPS AND CAPACITY BUILDING**

The Bristol Bay-Chignik Area Planning Work Group identified the lack of information on rainbow smelt in the Togiak River as a high priority need (OSM 2005). King Salmon Fish and Wildlife Field Office will provide a crew leader for this project and will conduct the data analysis; Togiak National Wildlife Refuge will conduct the sampling of the winter subsistence fishery; Bristol Bay Native Association will provide technicians to assist in data collection. This project will assist in developing partnerships between the U.S. Fish and Wildlife Service, the Native Village of Togiak, and the Bristol Bay Native Association. Capacity building will occur with the Native Village of Togiak by their direct participation in the collection of life history data that will be used to develop management strategies for the Togiak River subsistence fishery. The King Salmon Fish and Wildlife Field Office crew leader will act as a mentor with the purpose of training the local technicians to become crew leaders for future fishery data-collection operations. Local technicians will be trained in the use of collection gear, boating, biological sampling procedures, and data collection and verification methods. In this manner, local community members will develop a greater sense of ownership of conservation programs, with the intent that technicians will return as crew leaders, and these crew leaders will later attend post-secondary and graduate schools to develop the professional skills needed to take charge of conservation research. In conjunction with the Togiak National Wildlife Refuge representative, annual project presentations will be given to the community of Togiak.

## **JUSTIFICATION**

This proposal would address information needs of strategic importance for non-salmon fisheries within the Bristol Bay Management Area. While the Non-Salmon Fisheries Unit was ranked as a lower priority than either of the salmon fisheries units within the strategic plan, rainbow smelt is an important component of the Togiak subsistence harvest and very little information is available on this resource. The investigators successfully addressed all needed modifications contained within the Technical Review Committee's proposal review. The proposal is technically sound, has a reasonable schedule and budget for the proposed work, and investigators have a proven record of successfully conducting, administering, and completing other Fisheries Resource Monitoring Program projects.

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**Project Number:** 07-452  
**Project Title:** The Kvichak Watershed Subsistence Fishery: An Ethnographic Study  
**Geographic Region:** Southwest  
**Data Type:** Harvest Monitoring/Traditional Ecological Knowledge  
**Principal Investigator:** James Fall, ADFG, Division of Commercial Fisheries  
**Co-Investigator(s):** Davin Holen, ADFG, Division of Subsistence  
Robbin La Vine, Bristol Bay Native Association Natural Resource Department  
Theodore Krieg, ADFG, Division of Subsistence  
Michelle Ravenmoon and Karen Gaul, NPS Lake Clark National Park and Preserve

**Cost: 2007:** \$146,119      **2008:** \$111,814      **2009:** \$43,320

**RECOMMENDATION:**      **Fund with modification**

## **ISSUE**

This ethnographic study will investigate how families in four communities of the Kvichak District of the Bristol Bay Management Area (Iliamna, Newhalen, Nondalton, and Port Alsworth) develop subsistence fishing strategies in response to changing sociocultural, economic, and environmental circumstances. Such ethnographic information about community patterns of subsistence use and adaptation is lacking, but is essential for the effective management of fisheries to provide for subsistence uses. Subsistence sockeye salmon harvests in the Kvichak District have declined since the early 1990s. Poor sockeye salmon returns are likely one factor responsible for declining harvests, but socioeconomic and sociocultural factors may be partly responsible as well. Further, the current household permit system may inadequately document participation, harvest levels, and harvest timing for at least some very active multi-household extended families, creating difficulties for tracking harvest trends. The three research questions are: (1) how do families make decisions about subsistence fishing in light of ever-changing sociocultural, economic, and environmental circumstances; (2) what factors shape annual variations in subsistence harvests of Kvichak fish, and (3) which of these factors shape long-term trends in the fishery. The study will use a combination of research methods organized in stages to build upon findings as the study progresses. The results will be directly useful for fisheries managers for interpreting changing subsistence harvest levels and participation rates for salmon and for nonsalmon fish and in providing more precise harvest data. Portions of this management area are within the Lake Clark National Park and Preserve; the proposed study communities are Resident Zone Communities of the park.

## **OBJECTIVES**

1. Prepare an ethnographic description of the subsistence sockeye salmon fisheries of the communities of Nondalton, Newhalen, Iliamna, and Port Alsworth in 2007 regarding: the social organization of harvesting, processing, and distributing the catch; the location of harvests, including use of fish camps; gear types; and processing methods.



2. Estimate the subsistence sockeye salmon harvests, including harvests by location, date, and social group for Nondalton, Iliamna, Newhalen, and Port Alsworth in 2007.
3. Document the social context of subsistence fishing for salmon and other fish for four case study families over the course of one year as examples of community use patterns (2007/2008).
4. Describe the decision-making process of the four case study families in annual subsistence harvests of salmon and other fish, including adjustments made in response to resource abundance, the species selection process, and the selection of family members for harvesting.
5. Identify the social, cultural, economic and environmental factors that shaped subsistence salmon harvesting activities in Nondalton, Iliamna, Newhalen, and Port Alsworth in 2007.
6. Describe changing subsistence fishing strategies and patterns in the subsistence salmon fishery that have developed in the study communities over the last 20 to 25 years.

## METHODS

(1) *A literature review* will identify trends in the Kvichak sockeye run and the subsistence fishery and help frame questions for key respondents and topics for the ethnographic fieldwork. (2) *Ethnographic fieldwork* during subsistence sockeye salmon fishing in the summer and fall of 2007 will address Objectives 2, 3, 5, and 6. The goal will be to describe the decision-making processes involved in subsistence fishing and organization of subsistence salmon harvesting. (3) *Family case studies* address Objectives 3, 4, 5, and 6. Documentation of subsistence activities and harvests of four families will take place over the course of a year (2007/2008) using logbooks, journals, photographs, and interviews. (4) *Key respondent interviews and oral histories* will contribute to meeting Objectives 1 and 2. About 20 interviews will record the history of fish camps, describe organizational principles of the subsistence fishery, and assess trends in the salmon run and subsistence fishing methods and harvests as informed by traditional knowledge. (5) *Systematic household harvest surveys* with about 20 to 30 households will address objective 2 and supplement 2007 harvest data from permits to help evaluate harvest data in light of observations about the social organization of fishing from the ethnographic fieldwork, family case studies, and key respondent interviews.

## PARTNERSHIP/CAPACITY BUILDING

The project will be a collaboration between ADFG, NPS, and BBNA. NPS and BBNA local resident interns and other local resident research assistants will be trained to assist with literature review, ethnographic fieldwork, key respondent interviews, and harvest surveys. Case study families will be trained in data gathering methods and compensated for their involvement.

## JUSTIFICATION

The Technical Review Committee recommends funding this proposal with modifications. The project addresses several high priority issues identified in the 2007 Request for Proposals, and is a strong collaborative effort. However, this is a highly ambitious and complex project, and while the data collection methods are technically sound, the various components are not well integrated into a cohesive project plan. Further, analysis and synthesis of the data are not well developed and investigator responsibilities and time commitments are not clearly delineated.



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**Project Number:** 07-455  
**Project Title:** Adak Island Subsistence Fishing in a Changing Regulatory Environment  
**Geographic Region:** Southwest  
**Data Type:** Harvest Monitoring/Traditional Ecological Knowledge  
**Principal Investigator:** Michael A. Downs, EDAW Inc.  
**Co-Investigator(s):** Barbara Bamberger, EDAW Inc.

**Cost: 2007:** \$90,290                      **2008:** \$50,213                      **2009:** \$0

**RECOMMENDATION:**                      **Do not fund**

## **ISSUE**

Part of what is now the National Wildlife Refuge system since the early 1900s, Adak was the site of subsistence activity on at least a seasonal basis for generations. World War II saw the construction of a large military base and displacement of subsistence activities. Following the base closure with the end of the Cold War, a civilian community has been reestablished on the island. Families of the regional Aleut Corporation shareholders resettled in the community providing an Alaska Native population nexus. It is assumed that subsistence will play a growing role in the community, but this use is not documented. The extent to which contemporary subsistence is influenced by traditional ecological knowledge (TEK) passed down from pre-WWII or military-era occupation of the island is not documented. Recent federal land transfers have changed management boundaries, and no information is available regarding the relative perceived value of subsistence resources occurring in or adjacent to federal and non-federal areas of the island. In Adak, there is the unique opportunity to document evolving subsistence resource use in a place that is both an old and a new community.

## **OBJECTIVES**

1. Establish the importance to residents of subsistence resource use on and adjacent to federal conservation waters on Adak Island.
2. Identify and map key subsistence fishing habitat and specific resource use techniques used in subsistence fishing on and adjacent to the federal waters of Adak island.
3. Document areas currently used or desired to be used by residents (but closed to subsistence fishing). Identify areas of displacement of traditional subsistence activities from subsistence areas. Evaluate the implications for conservation management of these areas.
4. Analyze whether past experience has informed contemporary subsistence practices to determine if a relationship exists between historical and contemporary subsistence fishing on Adak Island.
5. Provide recommendations on future biological studies necessary for analyzing the conservation of subsistence fishing populations, based upon the TEK findings.

## **METHODS**

This study will employ a multi-method approach to TEK which includes a literature review, ethnographic interviews with elders, semi-structured key informant interviews, participatory small-group meetings, and community mapping. The study will translate the data into GIS maps.

## **PARTNERSHIPS/CAPACITY BUILDING**

This study is actively partnering with the Aleut Enterprise Corporation. Capacity building will occur through the hiring, training of local research assistants, and the mentorship of Aleut Enterprise Corporation staff to develop and maintain a traditional knowledge database well after the end of the study. The Adak Island study is proposed to meet Levels 5 and 6 of the “Level of Community and Regional Involvement in Fisheries Resource Monitoring Program Projects” chart. Our study will work cooperatively with the Federal and State subsistence regulatory agencies, the USFWS, and North Pacific Research Board and the North Pacific Fishery Management Council.

## **JUSTIFICATION**

The Technical Review Committee does not recommend funding this project. The investigation plan contains a technically sound approach in an area where little work of this type has occurred, the investigators are highly qualified to do the work and they bring a significant funding match to the project. However, given the absence of Federal subsistence fisheries available to the community at this time, and questions about the applicability of project findings to Federal subsistence fisheries management, the majority of the Technical Review Committee felt that the proposed work is premature at this time. The majority of the committee also believed that a biological assessment would be more appropriate to address management and regulation of Federal subsistence fisheries.

A minority of the Technical Review Committee felt that the proposed project addressed a timely topic that has potential management and regulatory applications. Given the likelihood that Adak will be declared rural, timely funding of this project would provide information necessary to address customary and traditional use determinations, methods and means regulatory proposals, and other analyses to regulate new subsistence fisheries on Adak.

## **PROPOSED RULE ON THE REVIEW OF RURAL DETERMINATIONS**

### **Action Item for Federal Subsistence Regional Advisory Councils Fall 2006**

- This is an action item for all of the Federal Subsistence Regional Advisory Councils. The Federal Subsistence Board is seeking Council recommendations and public comments through October 27, 2006 on a proposed rule that would change the rural or nonrural status of several Alaska communities and areas.
- The proposed rule is being provided to the Councils for their reference. No changes in rural/nonrural status of communities or areas are being proposed in the Bristol Bay, Yukon-Kuskokwim Delta, Western Interior Alaska, Seward Peninsula, Northwest Arctic, or Eastern Interior Alaska Council regions.
- The Board will hold public hearings in Kodiak September 20-21, in Saxman September 25, in Ketchikan September 26, and in Sitka October 10. The Board will make a decision on a final rule at a public meeting in Anchorage December 12-13. Public testimony will be taken at that meeting, and all Council Chairs are invited.
- ANILCA requires that rural Alaskans be given priority for subsistence uses of fish and wildlife on Federal public lands. Only residents of rural communities and areas are eligible for this subsistence priority.
- The Board initially determined which Alaska communities were rural when the Federal Subsistence Management Program began in 1990.
- Federal subsistence regulations require that rural/nonrural status be reviewed every 10 years, beginning with the availability of the 2000 census data. An initial staff review, completed in July 2005, recommended that the rural/nonrural status of most Alaska communities should remain unchanged for the proposed rule. Comment periods were provided at earlier stages in the review process.
- The regulations require that communities or areas that are economically, socially, and communally integrated be grouped for evaluation purposes. That was the first step in the analysis, followed by evaluation of rural/nonrural status.
- For considering whether communities or areas should be grouped, the Board directed staff to report on the following three indicators: 1) proximity/road connectedness; 2) shared high school attendance area; and 3) commuting of 30% or more of the workers between places of interest.
- The regulations establish guidelines for rural and nonrural status relative to population size:
  - A community with a population below 2,500 is considered rural, unless it possesses significant characteristics of a nonrural nature or is considered to be socially and economically part of a nonrural area.
  - A community with a population of more than 7,000 is considered nonrural unless it possesses significant characteristics of a rural nature.

- A community with a population above 2,500, but not more than 7,000, is to be evaluated to determine rural/nonrural status.
- For evaluating rural/nonrural status of communities or groupings, the method was to:
  - First, categorize the community or grouping by population size relative to the population thresholds.
  - Then, evaluate community characteristics as warranted. These may include, but are not limited to:
    - Diversity and development of the local economy
    - Use of fish and wildlife
    - Community infrastructure
    - Transportation
    - Educational institutions.
- Turning now to changes being proposed by the Board, **Prudhoe Bay** is proposed for change from rural to nonrural status in the North Slope Region. The Board has come to the preliminary conclusion that Prudhoe Bay is an industrial enclave built for the sole purpose of extracting oil, with no permanent residents and none of the characteristics typical of a rural community.
- In the Southcentral Alaska Region, it is proposed that communities or areas be added to the nonrural Wasilla-Palmer, Homer, and Kenai Areas, and thereby change in status from rural to nonrural, as follows:
  - **Point MacKenzie** grouped with the nonrural Wasilla-Palmer Area. Available information indicates that Point MacKenzie is economically, socially and communally integrated with the Wasilla-Palmer Area. Point MacKenzie is in proximity and road accessible to the Wasilla-Palmer Area, its students attend Wasilla High School, and 50 percent of Point MacKenzie workers commute to the Wasilla-Palmer Area for employment.
  - **Fritz Creek East** (not including Voznesenka) and the **North Fork Road area** grouped with the nonrural Homer Area. Available information indicates that these areas are economically, socially and communally integrated with the Homer Area. They are in proximity and road-connected with Homer, more than 40 percent of workers from these areas commute to the Homer Area, and most students from these areas attend Homer High School.
  - **Sterling** would be fully included in the nonrural Kenai Area. Sterling has been part of the nonrural Kenai Area since 1990. For the 2000 census, the Sterling area was expanded, such that a significant portion now extends beyond the current boundary of the Kenai Area. The Board believes that the boundaries of the Kenai Area should be adjusted to include all of Sterling. Students in Sterling go to high school in the Kenai Area, and the level of commuting is at 61.2%, well above the minimum criteria for grouping.
- In the Kodiak/Aleutians Region, changes are proposed for Adak and Kodiak, as follows:
  - Status of the community of **Adak** would change from nonrural to rural. Adak has undergone substantial change that warrants a change in status. Specifically, the population of Adak decreased by 94% from 1990 to 2000, bringing it well below the presumptive rural population threshold of 2,500. It is an extremely remote island community accessible only by boat or plane.

- The **Kodiak Area**, including the City of Kodiak, the Mill Bay area, the Coast Guard Station, Women's Bay and Bells Flats, would be grouped and change in status from rural to nonrural. The population of this area is approximately 12,000, well above the nonrural population threshold, and community characteristics indicate nonrural status. (Places excluded from this nonrural grouping are Chiniak, Pasagshak, Anton Larsen, Kalsin Bay and Middle Bay, as well as villages and communities on the Kodiak Archipelago not connected by road to the Kodiak area. These places would remain rural in status.)
- In the Southeast Alaska Region, changes are proposed in the nonrural **Ketchikan Area**, which would be expanded to include areas on the road system to the north and south of the current nonrural boundary. However, Saxman would remain separate and rural. Even though the grouping criteria would indicate including Saxman with the Ketchikan Area, there are social and economic characteristics that indicate that Saxman should not be grouped in the Ketchikan Area, as described further in the proposed rule. The population of the Ketchikan Area, excluding Saxman, is 12,720, well above the nonrural population threshold, and community characteristics indicate nonrural status.
- The analysis used by the Board in developing the proposed rule can be found on the Office of Subsistence Management website, or can be obtained from OSM staff.
- Once again, this is an action item for all of the Federal Subsistence Regional Advisory Councils. Including the rationale for your recommendation would be most helpful to the Board. The Board will make a decision on a final rule at a public meeting in Anchorage December 12-13, 2006.

corrected to read “*G. Request for Comments*”.

**Guy Traynor,**

*Chief, Publications and Regulations Branch,  
Legal Processing Division, Associate Chief  
Counsel (Procedure and Administration).*

[FR Doc. E6–13118 Filed 8–11–06; 8:45 am]

BILLING CODE 4830–01–P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG–135866–02]

RIN 1545–BA93

#### Section 1248 Attribution Principles; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice of proposed rulemaking; correction.

**SUMMARY:** This document corrects a notice of proposed rulemaking (REG–135866–02) that was published in the **Federal Register** on Friday, June 2, 2006 (71 FR 31985) providing guidance for determining the earnings and profits attributable to stock of controlled foreign corporations (or former controlled foreign corporations) that are (were) involved in certain nonrecognition transactions.

**FOR FURTHER INFORMATION CONTACT:** Michael Gilman, (202) 622–3850 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

##### Background

The notice of proposed rulemaking (REG–135866–02) that is the subject of this correction is under section 1248 of the Internal Revenue Code.

##### Need for Correction

As published, REG–135866–02 contains errors that may prove to be misleading and are in need of clarification.

##### List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

##### Correction of Publication

Accordingly, the notice of proposed rulemaking (REG–135866–02) that was the subject of FR Doc. E6–8551 is corrected as follows:

#### PART 1—INCOME TAXES

**Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*

**Par. 2.** On page 31991, instructional Par. 4. is amended by adding a new entry at the end of the amendatory instruction to read as follows:

Adding new paragraph (g).

#### § 1.1248–1 [Corrected]

**Par. 3.** On page 31991, § 1.1248–1 is amended by adding a new paragraph (g) to read as follows:

#### § 1.1248–1 Treatment of gain from certain sales or exchanges of stock in certain foreign corporations.

\* \* \* \* \*

(g) *Effective date.* Paragraph (a)(4) and paragraph (a)(5), *Example 4*, of this section apply to income inclusions that occur on or after the date that paragraph and example are published as final regulations in the **Federal Register**.

**Guy Traynor,**

*Chief, Publications and Regulations Branch,  
Legal Processing Division, Associate Chief  
Counsel (Procedure and Administration).*

[FR Doc. E6–13119 Filed 8–11–06; 8:45 am]

BILLING CODE 4830–01–P

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### 36 CFR Part 242

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

#### 50 CFR Part 100

RIN 1018–AT99

#### Subsistence Management Regulations for Public Lands in Alaska, Subpart C; Nonrural Determinations

**AGENCIES:** Forest Service, Agriculture; Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** This rule would revise the list of nonrural areas identified by the Federal Subsistence Board (Board, we, us). Areas determined to be nonrural are not eligible to participate in the Federal Subsistence Management Program on Federal public lands in Alaska. We propose to change Adak’s status to rural. We also propose to add Prudhoe Bay and the Kodiak Area, including the City of Kodiak, the Mill Bay area, Womens Bay, Bell’s Flats, and the Coast Guard Station to the list of nonrural areas. The following areas would continue to be nonrural, but we propose changes in their boundaries: the Kenai Area; the Wasilla/Palmer Area, including Point

McKenzie; the Homer Area, including Fritz Creek East (except Voznesenka) and the North Fork Road area; and the Ketchikan Area. We propose no other changes in status. However, new information could lead to changes not proposed at this time.

**DATES:** We must receive your written public comments no later than October 27, 2006.

**ADDRESSES:** You may submit comments electronically to [Subsistence@fws.gov](mailto:Subsistence@fws.gov). See **SUPPLEMENTARY INFORMATION** for file format and other information about electronic filing. You may also submit written comments to the Office of Subsistence Management, 3601 C Street, Suite 1030, Anchorage, Alaska 99503.

**FOR FURTHER INFORMATION CONTACT:** Chair, Federal Subsistence Board, c/o U.S. Fish and Wildlife Service, Attention: Pete Probasco, Office of Subsistence Management; (907) 786–3888. For questions specific to National Forest System lands, contact Steve Kessler, Regional Subsistence Program Leader, USDA, Forest Service, Alaska Region, (907) 786–3888.

#### SUPPLEMENTARY INFORMATION:

##### Comments

Electronic filing of comments is preferred: You may submit electronic comments and other data to [Subsistence@fws.gov](mailto:Subsistence@fws.gov). Please submit as MS Word or Adobe Acrobat (PDF) files, avoiding the use of any special characters and any form of encryption.

##### Background

In Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA) (16 U.S.C. 3111–3126), Congress found that “the situation in Alaska is unique in that, in most cases, no practical alternative means are available to replace the food supplies and other items gathered from fish and wildlife which supply rural residents dependent on subsistence uses \* \* \*” and that “continuation of the opportunity for subsistence uses of resources on public and other lands in Alaska is threatened \* \* \*.” As a result, Title VIII requires, among other things, that the Secretary of the Interior and the Secretary of Agriculture (Secretaries) implement a program to provide rural Alaska residents a priority for the taking of fish and wildlife on public lands in Alaska for subsistence uses, unless the State of Alaska enacts and implements laws of general applicability that are consistent with ANILCA and that provide for the subsistence definition, priority, and participation specified in sections 803, 804, and 805 of ANILCA.



The State implemented a program that the Department of the Interior previously found to be consistent with ANILCA. However, in December 1989, the Alaska Supreme Court ruled in *McDowell v. State of Alaska* that the rural priority in the State subsistence statute violated the Alaska Constitution. The Court's ruling in *McDowell* caused the State to delete the rural priority from the subsistence statute which therefore negated State compliance with ANILCA. The Court stayed the effect of the decision until July 1, 1990. As a result of the *McDowell* decision, the Department of the Interior and the Department of Agriculture (Departments) assumed, on July 1, 1990, responsibility for implementation of Title VIII of ANILCA on public lands. On June 29, 1990, the Departments published the Temporary Subsistence Management Regulations for Public Lands in Alaska in the **Federal Register** (55 FR 27114). Permanent regulations were jointly published on May 29, 1992 (57 FR 22940), and have been amended since then.

As a result of this joint process between Interior and Agriculture, these regulations can be found in the titles for Agriculture and Interior in the Code of Federal Regulations (CFR) both in title 36, "Parks, Forests, and Public Property," and title 50, "Wildlife and Fisheries," at 36 CFR 242.1–28 and 50 CFR 100.1–28, respectively. The regulations contain the following subparts: Subpart A, General Provisions; Subpart B, Program Structure; Subpart C, Board Determinations; and Subpart D, Subsistence Taking of Fish and Wildlife.

Consistent with Subparts A, B, and C of these regulations, as revised May 7, 2002 (67 FR 30559), and December 27, 2005 (70 FR 76400), the Departments established a Federal Subsistence Board (Board) to administer the Federal Subsistence Management Program, as established by the Secretaries. The Board's composition includes a Chair appointed by the Secretary of the Interior with concurrence of the Secretary of Agriculture; the Alaska Regional Director, U.S. Fish and Wildlife Service; the Alaska Regional Director, U.S. National Park Service; the Alaska State Director, U.S. Bureau of Land Management (BLM); the Alaska Regional Director, U.S. Bureau of Indian Affairs; and the Alaska Regional Forester, USDA Forest Service. Through the Board, these agencies participate in the development of regulations for Subparts A, B, and C, and the annual Subpart D regulations.

#### Rural Determination Process

With a **Federal Register** notice on October 5, 1990 (55 FR 40897), the newly established Federal Subsistence Board initiated the preparation of an Environmental Impact Statement as a vehicle for widespread public review and participation in the development of the final temporary regulations. The rural determination process was included, and subsequently on November 23, 1990 (55 FR 48877), the Board published another notice in the **Federal Register** explaining the proposed Federal process for making rural determinations, the criteria to be used, and the application of those criteria in preliminary determinations. Public meetings were held in approximately 56 Alaskan communities, specifically to solicit comments on the proposed Federal Subsistence Management Program. On December 17, 1990, the Board adopted final rural and nonrural determinations, which were published on January 3, 1991 (56 FR 236). Final programmatic regulations were published on May 29, 1992, with only slight variations in the rural determination process (57 FR 22940).

Federal subsistence regulations require that the rural/nonrural status of communities or areas be reviewed every 10 years, beginning with the availability of the 2000 census data. The Board evaluated several options for conducting the review and decided to adopt an approach similar to that taken in 1990, which used criteria established in Federal subsistence regulations. The review was conducted with an emphasis on what has changed since 1990.

Although the process uses data from the 2000 census for its review, some data were not compiled and available until 2005. Data from the Alaska Department of Labor were used to supplement the census data.

During February–July 2005, the staff of the Federal Subsistence Management Program conducted an initial review of the rural status of Alaska communities, looking at the 2000 census data for each community or area with an emphasis on what had changed since 1990. From this initial review, staff compiled a report that included a proposed list of communities and areas for which further analysis appeared warranted. In addition, the report included the method used to develop this list. In August–October 2005, the public and Federal Subsistence Regional Advisory Councils were invited to comment on the results of this initial review.

At a meeting in Anchorage on December 6–7, 2005, the Board took public testimony and determined that

additional information was needed on 10 communities and areas before it decided upon any potential changes.

- For three communities, analysis was focused on evaluation of rural/nonrural status, as follows:

*Kodiak, Adak, and Prudhoe Bay:* Currently Kodiak and Prudhoe Bay are considered rural, and Adak is considered nonrural. These three communities were further analyzed as to their rural/nonrural status.

- For five nonrural groupings of communities and areas, further analysis evaluated the possibility of excluding or including places, as follows:

*Fairbanks North Star Borough:* Evaluate whether to continue using the entire borough as the nonrural area, or separate some outlying areas and evaluate their rural/nonrural status independently.

*Seward Area:* Evaluate whether to exclude Moose Pass and similarly situated places from this nonrural grouping and evaluate their rural/nonrural status independently.

*Wasilla/Palmer Area:* Evaluate whether to include Willow, Point MacKenzie, and similarly situated places in this nonrural grouping.

*Homer Area:* Evaluate whether to include Fox River, Happy Valley, and similarly situated places in this nonrural grouping.

*Kenai Area:* Evaluate whether to exclude Clam Gulch and similarly situated places from this nonrural grouping and evaluate their rural/nonrural status independently.

- In addition, two areas were recommended for further analysis as follows:

*Ketchikan Area:* Evaluate whether to include Saxman, and areas of growth and development outside the current nonrural boundary, and evaluate the rural/nonrural status of the whole area.

*Delta Junction, Big Delta, Deltana and Fort Greely:* Evaluate whether some or all of these communities should be grouped, and their rural/nonrural status evaluated collectively.

This list for additional analysis differed from the proposed list put out for public comment in July 2005, in that: (1) The scope of the review was broadened for the Ketchikan area, currently considered nonrural, to include an analysis of rural/nonrural characteristics of the entire area; (2) the rural/nonrural status of Prudhoe Bay was added; and (3) additional analysis of Sitka was not believed to be necessary.

Sitka, whose population had increased from 8,588 people in 1990 to 8,835 in 2000, had been identified as an area possibly warranting further



analysis. However, during its December 6–7, 2005, meeting, the Board heard substantial public testimony regarding the rural characteristics of Sitka and determined that no additional analysis was necessary. The Board is proposing to leave Sitka's rural status unchanged.

During January–May 2006, Federal subsistence staff conducted in-depth analyses of each community or area on the Board-approved list of communities and areas identified for further analysis.

On June 22, 2006, the Board met in executive session to develop the list of communities and areas they believe to be nonrural. Those communities and areas are identified in this proposed rule.

Population size is a fundamental distinguishing characteristic between rural and nonrural communities. Under the current programmatic guidance in Federal subsistence regulations:

- A community with a population of 2,500 or less is deemed rural, unless it possesses significant characteristics of a nonrural nature, or is considered to be socially and economically a part of a nonrural area.
- A community with a population of more than 7,000 is deemed nonrural, unless it possesses significant characteristics of a rural nature.
- A community with a population above 2,500 but not more than 7,000 is evaluated to determine its rural/nonrural status. The community characteristics considered in this evaluation may include, but are not limited to, diversity and development of the local economy, use of fish and wildlife, community infrastructure, transportation, and educational institutions.

Communities that are economically, socially, and communally integrated are combined for evaluation purposes. The Board identified three guidelines or criteria for analysis to assist in its determination of whether or not to group communities in its review of rural determinations. The criteria to be used include: (1) Are the communities in proximity and road-accessible to one another? The first criterion, proximity and road accessibility, is considered a logical first step in evaluating the relationship between communities, and, applied in relation to the other two criteria, is considered a reasonable indicator of economic, social, and communal integration. (2) Do they share a common high school attendance area? The second criterion, regarding sharing a common high school attendance area, is taken to be an indicator of the social integration of communities. This is an improvement by way of modification from the former criterion of a shared

school district. The public pointed out in past testimony that attendance in a common school district often reflects political or administrative boundaries rather than social integration. A shared social experience is better captured by the shared high school criterion. (3) Do 30% or more of the working people commute from one community to another? This criterion, regarding whether working people commute from one community to another, was identified as providing meaningful information relating to the grouping of communities. Also, the U.S. Census uses this criterion because commuting to work is an easily understood measure that reflects social and economic integration. These criteria were not considered separately, but assessed collectively, with the recommendation to group communities being dependent upon the collective assessment.

Community characteristics and specific indicators that the Board used to evaluate rural/nonrural status include: (1) Economy—wage employment, percent unemployment, per capita income, diversity of services, cost-of-food index, and number of stores defined as large national retailers; (2) community infrastructure—including the cost of electricity; (3) fish and wildlife use—variety of species used per household, percentage of households participating, level of average harvest per capita for all subsistence resources combined, and level of average harvest per capita for salmon and large land mammals only; (4) transportation—variety of means, predominant means, and length of road system; and (5) educational institutions present in the community.

The Board's analysis and preliminary efforts to distinguish between rural places and nonrural places were heavily reliant on population size, but when the Board used other characteristics, its approach was based on a totality of the circumstances. Unemployment is generally higher and per capita income is generally lower in rural places than in nonrural places. Cost of food and cost of electricity were generally higher in the rural communities than in the nonrural. Subsistence per capita harvest of all resources shows a pattern of increasing amount with decreasing population size among nonrural areas, and typically higher levels in rural communities. The per capita harvest of salmon and large land mammals also shows a general pattern of increasing amount with decreasing population size among nonrural areas, and typically higher levels in rural communities. There were no large national retailers found in the rural communities

examined (other than Kodiak which is being proposed as nonrural), or in the three smallest nonrural communities or areas. Population density was generally higher for most nonrural places than it was for rural places.

Summarized below are the Board's recommendation for each area analyzed and the justification for that recommendation.

**Adak:** Recommend changing Adak's status from nonrural to rural. Following the closure of the military base, the community of Adak has decreased in population by 94 percent from 1990 to 2000. It currently has 167 residents (2005), which is well below the presumptive rural threshold of 2,500 persons. Adak is also extremely remote and is accessible only by boat or plane, with the nearest community (Atka) 169 miles away. With the changes that have occurred since the 1990s, Adak now has rural characteristics typical of a small isolated community.

**Prudhoe Bay (including Deadhorse):** Recommend changing Prudhoe Bay's status from rural to nonrural. In 2000 Prudhoe Bay had one permanent household comprised of five people. There were reportedly no permanent residents in February 2006. Prudhoe Bay has none of the characteristics typical of a rural community. Prudhoe Bay is an industrial enclave built for the sole purpose of extracting oil. The oil companies provide everything employees need: Lodging, food, health care, and recreation. The thousands of people in Prudhoe Bay do not live there permanently, but work multi week-long shifts. They eat in cafeterias and live in group quarters. There are no schools, grocery stores, or churches. Subsistence is not a part of the way of life. Hunting in the area and possession of firearms and ammunition are prohibited. Based on its industrial enclave characteristics, Prudhoe Bay should be determined to be nonrural.

**Fairbanks North Star Borough:** No changes to this nonrural grouping are recommended. In applying the grouping criteria as indicators of economic, social, and communal integration, the Board believes that the current nonrural boundary of the Fairbanks Area should continue to be defined as the Fairbanks North Star Borough boundary. No census designated places (CDPs) should be excluded from the nonrural grouping for the following reasons: (1) All CDPs are road accessible to one another. Although the Harding-Birch Lakes and Salcha areas are more sparsely populated than central areas of the borough, both communities include many occasional-use homes owned by Fairbanks residents. Further, both

places are home to only a few year-round residents. (2) The majority of the Borough's high school students are bused to one of the schools located in Fairbanks, North Pole, or Eielson. (3) The Remainder area of the North Star Borough should be included in the grouping because the majority of the population is road connected and over half (57 percent) of the workers residing in this area commute to Fairbanks for employment. Additionally, 75 percent of the workers living in Harding-Birch Lakes drive to the City of Fairbanks to work, and 71 percent of the working population in Pleasant Valley commute to the City of Fairbanks.

**Delta Junction Vicinity:** No changes are recommended for the rural status of Delta Junction, or the communities in the immediate vicinity. In applying the grouping criteria as indicators of economic, social, and communal integration, the Board believes that the four Delta Junction vicinity CDPs assigned for analysis (Delta Junction, Big Delta, Deltana, and Fort Greely) should be grouped as an area for purposes of rural/nonrural analysis because they fulfill the three guidelines for grouping: (1) All four CDPs are road connected and proximal; (2) the majority of the high school-aged students from Big Delta, Deltana, and Fort Greely attend high school in Delta Junction; and (3) in the two outlying CDPs, over 30 percent of the workers commute within the vicinity (41 percent of the workers living in Big Delta commute to either Delta Junction, Deltana, Fort Greely, or to a Remainder area within the Southeast Fairbanks Census Area, and 45 percent of the workers in Deltana commute to Delta Junction or Fort Greely).

The four places grouped into the Delta Junction Area should remain rural in status. The population size of the grouping (3,921) places it in the nonpresumptive midrange, and information on the characteristics of the grouping, although somewhat limited, is indicative of a rural character. The recent economic upswing to the area due to construction of the Missile Defense system at Fort Greely and development of the Pogo Mine is thought to be temporary.

**Seward Area:** No changes to this nonrural grouping are recommended. In applying the grouping criteria as indicators of economic, social, and communal integration, the Board believes that the Moose Pass, Crown Point, and Primrose CDPs should remain within the Seward Area grouping. Moose Pass, Crown Point, and Primrose CDPs meet all the criteria for grouping: proximity and road-

accessibility to the Seward Area; their students attend the high school in Seward; and the level of workers commuting to Seward for employment is greater than 30 percent.

**Wasilla/Palmer Area:** Include the Point MacKenzie CDP in the nonrural Wasilla/Palmer Area grouping; do not include the Willow CDP. The Board believes that the Point MacKenzie CDP meets all the criteria for grouping with the Wasilla/Palmer Area. The Point MacKenzie CDP is in proximity to the Wasilla/Palmer Area and road-accessible; their students attend Wasilla High School; and the level of workers commuting to the Wasilla/Palmer Area for employment is at 50 percent. This change would make Point MacKenzie part of a nonrural area, a change from its current rural status. The Board recommends that the Willow CDP not be included in the Wasilla/Palmer Area grouping. Students in the Willow CDP are located in two attendance areas for high schools, within and outside of the Wasilla/Palmer Area. The level of commuting for workers to the Wasilla/Palmer Area is at 23.9 percent, which is below the criteria identified for grouping.

**Kenai Area:** Adjust the boundaries of the nonrural Kenai Area to include all of the current Sterling CDP, and propose no change to the current grouping and status of Clam Gulch CDP as part of the nonrural Kenai Area. It appears that Clam Gulch CDP should continue to be included in the Kenai Area grouping because, although students of Clam Gulch CDP attend high school outside of the Kenai Area, the commuting of workers to the Kenai Area is on the order of 30 percent, and Clam Gulch is connected by paved highway to the Kenai Area, with which it has been grouped since initial determinations were made in 1990. It also appears that Coho CDP should remain within the Kenai Area grouping. Coho students attend a high school in the Kenai Area and the level of work commuting, at 69.5 percent, is significantly above the minimum criteria for grouping. The Sterling CDP has been part of the nonrural Kenai Area since 1990. For the 2000 census, the Sterling CDP has expanded in size, such that a significant portion of the CDP extends beyond the current boundary of the nonrural Kenai Area. The Board believes that the boundaries of the Kenai Area should be adjusted to include all of the current Sterling CDP. Students within the Sterling CDP go to high school within the Kenai Area and the level of commuting is at 61.2 percent of workers, well above the minimum criteria for grouping.

**Homer Area:** Adjust the boundaries of the nonrural Homer Area to include all of the Fritz Creek CDP (not including Voznesenka), and the North Fork Road portion of the Anchor Point CDP. This change would make Fritz Creek East, except for Voznesenka, and the North Fork Road portion of the Anchor Point CDP nonrural, a change from their current rural status. The Board has tentatively concluded for Fritz Creek East that, except for Voznesenka, the residents are economically, socially, and communally integrated with the Homer Area. Fritz Creek East is in proximity and road-connected to the Homer Area. The Homer High School attendance area includes their students, and 43.8 percent of their workers commute to the Homer Area. It appears that Voznesenka should not be included in the Homer Area because, while it is in proximity and road-connected to the Homer Area, the number of jobs shown as being located within the Homer Area is only 19.5 percent, and Voznesenka students attend high school in Voznesenka.

The Board believes that residents of the North Fork Road area fully meet two of the three criteria, proximity and commuting of workers. For the third criteria, although students have the option of attendance in Nikolaevsk School or Ninilchik High School, the vast majority go to Homer High School. This is sufficient basis for considering the North Fork Road area of the Anchor Point CDP to be economically, socially, and communally integrated with the nonrural Homer Area.

The Board believes that residents of the Happy Valley CDP fulfill only the proximity criterion for grouping with the Homer Area. Happy Valley students are within the Ninilchik School high school attendance area, and less than 30 percent of Happy Valley workers commute to the Homer Area (14.4 percent). It appears that residents of the Happy Valley CDP should not be included with the Homer Area.

It appears that the Nikolaevsk CDP, north of the Anchor Point CDP and connected to the Homer Area by the North Fork Road, does not warrant inclusion in the Homer Area. There is a K-12 school in Nikolaevsk, and data show that only 22 percent of jobs held by Nikolaevsk residents were located in the Homer Area.

It appears that residents of Fox River CDP, primarily in the communities of Razzdolna and Kachemak Selo, do not meet any of the three criteria, which would indicate that Fox River residents are not economically, socially, or communally integrated with the Homer Area.

**Kodiak Area:** Define the Kodiak Area to include the road system, including the City of Kodiak, the Mill Bay area, Womens Bay, Bell's Flats, and the Coast Guard Station, but not including Chiniak, Pasagshak, and Anton Larsen, and change the status of the Kodiak Area, as defined, from rural to nonrural. The Board believes that the Kodiak Station CDP should be included in the Kodiak Area grouping. The Kodiak Station CDP directly fulfills two of the three criteria for being grouped in the Kodiak Area, and special consideration is warranted in relation to the third criterion: (1) The Kodiak Station CDP is road-connected and adjacent to the City of Kodiak; (2) the Kodiak Station CDP does not have a high school; all students attend high school in the City of Kodiak; and (3) the special circumstance of enlisted employment accounts for the overall commuting level of workers to Kodiak City being an estimated 11 percent of all working residents. However, this can be attributed to the fact that enlisted personnel residing on the base are by duty assignment bound to the base. Working dependents, who are not bound to employment on the base, virtually all work in Kodiak City. While the worker commuting criterion is thereby not met if one pools enlisted personnel and working dependents, ties to the Kodiak Area are otherwise evident. The Board believes that the Womens Bay CDP should be included in the Kodiak Area grouping. Womens Bay CDP fulfills all three criteria for being grouped in the Kodiak Area: (1) Womens Bay CDP is road-connected and proximal to the City of Kodiak; (2) Womens Bay CDP does not have a high school; students attend high school in the City of Kodiak; and (3) more than 30 percent of the working residents are employed in the City of Kodiak.

The Board believes that the Chiniak CDP should not be included in the Kodiak Area grouping because (1) although there is a road from Chiniak to the City of Kodiak, it is a minimum of a one-hour trip, and the 14 miles closest to Chiniak are unpaved; (2) there is a partial high school in Chiniak to grade 10, and only two-fifths of the high school-aged children attend school in Kodiak.

The Board believes that the road-connected Remainder area should be included in the Kodiak Area grouping, with the exception of the Pasagshak and Anton Larsen portions. The road-connected Remainder area, with the exceptions as noted, is proximal to the City of Kodiak; students from the road-connected Remainder area attend high school in the City of Kodiak; and more than 30 percent of the working residents

of the Remainder area are employed in the City of Kodiak. The road-connected Remainder area of the Kodiak Area includes people residing in Anton Larsen and Pasagshak. There is no information about these "sub-areas" of the road-connected Remainder area, thus it is unknown if students living in these areas are taught through correspondence, home-schooled, or travel to Kodiak to attend high school. It is also unknown how many people commute to Kodiak City to work. However, the Board determined that despite the lack of information regarding the three criteria for grouping, the remoteness of Pasagshak and Anton Larsen is comparable to the remoteness of Chiniak, and therefore elected to propose no change in the rural status of these areas.

The population of the Kodiak Area—estimated at approximately 12,000 in 2005—is well above the presumptive nonrural population of 7,000 in Federal regulations. The population has increased slightly since 1990. Kodiak's per capita income is relatively high and it also has a 2-year college, high diversity of services, a large national retailer, fast food restaurants, and roads linking the outlying area to the city. Of the communities examined during this analysis, the Kodiak Area is 34 percent larger in population than the next largest rural place, and its use of fish and wildlife is 24 percent lower. While the per capita harvest of subsistence resources is higher in the Kodiak Area than in some rural areas, it is well below the levels in some other rural communities.

**Ketchikan Area:** Define the Ketchikan Area to include Pennock Island, parts of Gravina Island, and the road system connected to the City of Ketchikan, except for the community of Saxman. Saxman would retain its current rural status, and the Ketchikan Area, as defined, would retain its nonrural status. Saxman is directly adjacent to Ketchikan, connected by road, and surrounded by the outlying Ketchikan development. Visually, the only distinguishing feature to indicate the boundary between Ketchikan and Saxman is a sign on the South Tongass Highway. Saxman has clearly been overtaken and is surrounded by the geographic expansion of Ketchikan; Saxman students attend high school in Ketchikan; and 64 percent of the workers in Saxman commute to Ketchikan for their employment, with another 8 percent commuting to the Remainder area of the borough to work. Even though the grouping criteria would indicate including Saxman with the Ketchikan Area, social and economic

characteristics indicate that Saxman should not be grouped in the Ketchikan Area. Saxman is a small, close-knit community that is socially and politically separate from Ketchikan. The residents of Saxman have two distinct entities to separate themselves from Ketchikan, the traditional government (Organized Village of Saxman) and the municipal government (City of Saxman). Socioeconomic indicators suggest distinctions between the two communities. For example, Saxman has a higher unemployment rate, lower per capita income, higher percentage of residents below the poverty level than those found in Ketchikan, and a 70 percent Native population. Another distinguishing characteristic of the community is that Saxman residents depend much more heavily on the harvest of subsistence resources. Saxman's average per capita harvest of 217 pounds is substantially more than has been estimated for the Ketchikan Area. Thus, while the grouping criteria lead to including Saxman with the Ketchikan Area, the unique socioeconomic characteristics of Saxman suggest that it should remain separate from the Ketchikan Area.

The Remainder fulfills all three criteria for grouping with the Ketchikan Area: (1) The Remainder, other than nearby Gravina and Pennock Islands, is road-connected to the City of Ketchikan; (2) Students in the Remainder attend high school in Ketchikan; and (3) Over 30 percent of the workers from the Remainder commute to work in the City of Ketchikan. Presently, most of the Remainder is included in the nonrural Ketchikan Area, established in 1990, except for extensions of the highway to the north and south that have since occurred.

The population of the Ketchikan Area was estimated at 12,720 in 2005 (excluding Saxman), having decreased slightly from 1990. Ketchikan possesses many nonrural characteristics, including having a 2-year college, a large national retailer, car dealerships, fast food restaurants, and roads linking the outlying surrounding area to the city. Although the pulp mill closed, there is still some diversity in the economy with tourism, fishing, fish processing, timber, retail services, and government providing the majority of employment. There is a hospital and a high diversity of services offered. The Ketchikan Area had the sixth highest population in the state in 2005, considering community groupings as defined by the Board. All other areas with higher populations are currently considered nonrural in Federal subsistence regulations. Three areas



with smaller populations are currently classified as nonrural and are not proposed for a change in status: the Homer Area, Seward Area, and Valdez. Harvest of subsistence resources in the Ketchikan Area is lower than is characteristic of rural communities.

This change would make the extended road connected areas of Ketchikan nonrural, a change from their current rural status.

The list of nonrural communities and areas, along with those other nonrural communities or areas whose status would remain unchanged, is published herein as the proposed rule. All other communities and areas of Alaska not listed herein would retain their rural determination. We propose to amend Section \_\_\_\_\_.23, which identifies those communities and areas of Alaska that are determined to be rural and nonrural. We have made maps available for the nonrural areas. The purpose of these maps is to provide to the subsistence user an overall graphic representation of the extent of the nonrural areas. To view maps, go to the Office of Subsistence Management Web site at <http://alaska.fws.gov/asm/home.html>. If you do not have access to the internet, you may contact the Office of Subsistence Management at the address or phone number shown at **ADDRESSES** or **FOR FURTHER INFORMATION CONTACT**, respectively, and we will send the maps to you.

During August–October 2006, the public and Federal Subsistence Regional Advisory Councils are invited to comment on the proposed rule. Hearings in Kodiak, Sitka, Saxman, and Ketchikan will be held in September and October 2006. The specific dates,

times, and locations will be announced in locally and Statewide—circulated newspapers or you may call the phone number shown at **FOR FURTHER INFORMATION CONTACT**. Additional hearings may be scheduled by the Board, as appropriate. In December 12–13, 2006, in Anchorage, Alaska, the Federal Subsistence Board will meet to consider the comments received and may make changes to the proposed rule. From the decisions made in December, the Board will develop a final rule for publication in the **Federal Register**. The effective date of any community or area changing from a rural to nonrural status is 5 years after the date of publication of the final rule in the **Federal Register**. For communities or areas that change from nonrural to rural, the effective date is 30 days after the date of publication of the final rule in the **Federal Register**.

Because the Federal Subsistence Management Program relates to public lands managed by an agency or agencies in both the Departments of Agriculture and the Interior, we propose to incorporate identical text into 36 CFR part 242 and 50 CFR part 100.

#### Conformance With Statutory and Regulatory Authorities

##### *National Environmental Policy Act Compliance*

A Draft Environmental Impact Statement (DEIS) for developing a Federal Subsistence Management Program was distributed for public comment on October 7, 1991. That document described the major issues associated with Federal subsistence management as identified through public meetings, written comments, and

staff analysis, and examined the environmental consequences of four alternatives. Proposed regulations (Subparts A, B, and C) that would implement the preferred alternative were included in the DEIS as an appendix. The DEIS and the proposed administrative regulations presented a framework for an annual regulatory cycle regarding subsistence hunting and fishing regulations (Subpart D). The Final Environmental Impact Statement (FEIS) was published on February 28, 1992.

Based on the public comments received, the analysis contained in the FEIS, and the recommendations of the Federal Subsistence Board and the Department of the Interior's Subsistence Policy Group, the Secretary of the Interior, with the concurrence of the Secretary of Agriculture, through the U.S. Department of Agriculture—Forest Service, implemented Alternative IV as identified in the DEIS and FEIS (Record of Decision on Subsistence Management for Federal Public Lands in Alaska (ROD), signed April 6, 1992). The DEIS and the selected alternative in the FEIS defined the administrative framework of an annual regulatory cycle for subsistence hunting and fishing regulations. The final rule for Subsistence Management Regulations for Public Lands in Alaska, Subparts A, B, and C, published May 29, 1992, implemented the Federal Subsistence Management Program and included a framework for an annual cycle for subsistence hunting and fishing regulations. The following **Federal Register** documents pertain to this rulemaking:

#### FEDERAL REGISTER DOCUMENTS PERTAINING TO SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPARTS A AND B

Federal Register citation	Date of publication	Category	Detail
57 FR 22940 .....	May 29, 1992 .....	Final Rule .....	"Subsistence Management Regulations for Public Lands in Alaska; Final Rule" was published in the Federal Register establishing a Federal Subsistence Management Program.
64 FR 1276 .....	January 8, 1999 .....	Final Rule (amended) ..	Amended 7 FR 22940 to include subsistence activities occurring on inland navigable waters in which the United States has a reserved water right and to identify specific Federal land units where reserved water rights exist. Extended the Federal Subsistence Board's management to all Federal lands selected under the Alaska Native Claims Settlement Act and the Alaska Statehood Act and situated within the boundaries of a Conservation System Unit, National Recreation Area, National Conservation Area, or any new national forest or forest addition, until conveyed to the State of Alaska or an Alaska Native Corporation. Specified and clarified Secretaries' authority to determine when hunting, fishing, or trapping activities taking place in Alaska off the public lands interfere with the subsistence priority.
66 FR 31533 .....	June 12, 2001 .....	Interim Rule .....	Expanded the authority that the Board may delegate to agency field officials and clarified the procedures for enacting emergency or temporary restrictions, closures, or openings.

## FEDERAL REGISTER DOCUMENTS PERTAINING TO SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA, SUBPARTS A AND B—Continued

Federal Register citation	Date of publication	Category	Detail
67 FR 30559 .....	May 7, 2002 .....	Final Rule .....	In response to comments on an interim rule, amended the operating regulations. Also corrected some inadvertent errors and oversights of previous rules.
68 FR 7703 .....	February 18, 2003 .....	Direct Final Rule .....	Clarified how old a person must be to receive certain subsistence use permits and removed the requirement that Regional Councils must have an odd number of members.
68 FR 23035 .....	April 30, 2003 .....	Affirmation of Direct Final Rule.	Received no adverse comments on 68 FR 7703. Adopted direct final rule.
68 FR 60957 .....	October 14, 2004 .....	Final Rule .....	Established Regional Council membership goals.
70 FR 76400 .....	December 27, 2005 .....	Final Rule .....	Revised jurisdiction in marine waters and clarified jurisdiction relative to military lands.

An environmental assessment was prepared in 1997 on the expansion of Federal jurisdiction over fisheries and is available from the office listed under **FOR FURTHER INFORMATION CONTACT.** The Secretary of the Interior with the concurrence of the Secretary of Agriculture determined that the expansion of Federal jurisdiction did not constitute a major Federal action significantly affecting the human environment and therefore signed a Finding of No Significant Impact.

*Compliance With Section 810 of ANILCA*

The intent of all Federal subsistence regulations is to accord subsistence uses of fish and wildlife on public lands a priority over the taking of fish and wildlife on such lands for other purposes, unless restriction is necessary to conserve healthy fish and wildlife populations. A section 810 analysis was completed as part of the FEIS process. The final section 810 analysis determination appeared in the April 6, 1992, ROD, which concluded that the Federal Subsistence Management Program may have some local impacts on subsistence uses, but that the program is not likely to significantly restrict subsistence uses.

*Paperwork Reduction Act*

This rule contains no new information collection requirements subject to Office of Management and Budget (OMB) approval under the Paperwork Reduction Act of 1995. The information collection requirements described in the CFR regulations were approved by OMB under 44 U.S.C. 3501 and were assigned clearance number 1018-0075, which expires August 31, 2006. We will not conduct or sponsor, and you are not required to respond to, a collection of information request unless it displays a currently valid OMB control number.

*Other Requirements*

**Economic Effects**—This rule is not a significant rule subject to OMB review under Executive Order 12866. This rulemaking will impose no significant costs on small entities; this rule does not restrict any existing sport or commercial fishery on the public lands, and subsistence fisheries will continue at essentially the same levels as they presently occur. The number of businesses and the amount of trade that will result from this Federal land-related activity is unknown but expected to be insignificant.

The Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*) requires preparation of regulatory flexibility analyses for rules that will have a significant economic effect on a substantial number of small entities, which include small businesses, organizations, or governmental jurisdictions. The Departments have determined that this rulemaking will not have a significant economic effect on a substantial number of small entities within the meaning of the Regulatory Flexibility Act.

This rulemaking will impose no significant costs on small entities; the exact number of businesses and the amount of trade that will result from this Federal land-related activity is unknown. The aggregate effect is an insignificant positive economic effect on a number of small entities, such as tackle, boat, sporting goods dealers, and gasoline dealers. The number of small entities affected is unknown; however, the fact that the positive effects will be seasonal in nature and will, in most cases, merely continue preexisting uses of public lands indicates that the effects will not be significant.

Title VIII of ANILCA requires the Secretaries to administer a subsistence preference on public lands. The scope of this program is limited by definition to certain public lands. Likewise, these

regulations have no potential takings of private property implications as defined by Executive Order 12630.

The Secretaries have determined and certify pursuant to the Unfunded Mandates Reform Act, 2 U.S.C. 1502 *et seq.*, that this rulemaking will not impose a cost of \$100 million or more in any given year on local or State governments or private entities. The implementation of this rule is by Federal agencies, and no cost is involved to any State or local entities or Tribal governments.

The Secretaries have determined that these regulations meet the applicable standards provided in Sections 3(a) and 3(b)(2) of Executive Order 12988 on Civil Justice Reform.

In accordance with Executive Order 13132, the rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. Title VIII of ANILCA precludes the State from exercising subsistence management authority over fish and wildlife resources on Federal lands unless the State program is compliant with the requirements of that Title.

In accordance with the President's memorandum of April 29, 1994, "Government-to-Government Relations with Native American Tribal Governments" (59 FR 22951), 512 DM 2, and E.O. 13175, we have evaluated possible effects on Federally recognized Indian tribes and have determined that there are no substantial direct effects. The Bureau of Indian Affairs is a participating agency in this rulemaking.

On May 18, 2001, the President issued Executive Order 13211 on regulations that significantly affect energy supply, distribution, or use. This Executive Order requires agencies to prepare Statements of Energy Effects when undertaking certain actions. As this rule is not a significant regulatory action under Executive Order 13211, affecting energy supply, distribution, or use, this

action is not a significant action and no Statement of Energy Effects is required.

William Knauer drafted these regulations under the guidance of Peter J. Probasco of the Office of Subsistence Management, Alaska Regional Office, U.S. Fish and Wildlife Service, Anchorage, Alaska. Chuck Ardizzone, Alaska State Office, Bureau of Land Management; Greg Bos, Carl Jack, and Jerry Berg, Alaska Regional Office, U.S. Fish and Wildlife Service; Sandy Rabinowitch and Nancy Swanton, Alaska Regional Office, National Park Service; Dr. Warren Eastland, Pat Petrivelli, and Dr. Glenn Chen, Alaska Regional Office, Bureau of Indian Affairs; and Steve Kessler, Alaska Regional Office, USDA—Forest Service provided additional guidance.

#### List of Subjects

##### 36 CFR Part 242

Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

#### List of Subjects

##### 50 CFR Part 100

Administrative practice and procedure, Alaska, Fish, National forests, Public lands, Reporting and recordkeeping requirements, Wildlife.

For the reasons set out in the preamble, the Secretaries propose to amend title 36, part 242, and title 50, part 100, of the Code of Federal Regulations, as set forth below.

#### PART \_\_\_\_—SUBSISTENCE MANAGEMENT REGULATIONS FOR PUBLIC LANDS IN ALASKA

1. The authority citation for both 36 CFR part 242 and 50 CFR part 100 would continue to read as follows:

**Authority:** 16 U.S.C. 3, 472, 551, 668dd, 3101–3126; 18 U.S.C. 3551–3586; 43 U.S.C. 1733.

#### Subpart C—Board Determinations

2. In Subpart C of 36 CFR part 242 and 50 CFR part 100, § \_\_\_.23(a) would be revised to read as follows:

\* \* \* \* \*

#### § \_\_\_.23 Rural Determinations.

(a) The Board has determined all communities and areas to be rural in accordance with § \_\_\_.15 except the following:

- (1) Fairbanks North Star Borough;
- (2) Homer area—including Homer, Anchor Point, North Fork Road area, Kachemak City, and the Fritz Creek area (not including Voznesenka);

(3) Juneau area—including Juneau, West Juneau, and Douglas;

(4) Kenai area—including Kenai, Soldotna, Sterling, Nikiski, Salamatof, Kalifornsky, Kasilof, and Clam Gulch;

(5) Ketchikan area—including all parts of the road system connected to the City of Ketchikan (except Saxman), Pennock Island, and parts of Gravina Island;

(6) Kodiak area—including the City of Kodiak, the Mill Bay area, the Coast Guard Station, Womens Bay, and Bells Flats;

(7) Municipality of Anchorage;

(8) Prudhoe Bay;

(9) Seward area—including Seward and Moose Pass;

(10) Valdez; and

(11) Wasilla/Palmer area—including Wasilla, Palmer, Sutton, Big Lake, Houston, Point MacKenzie, and Bodenbergs Butte.

You may obtain maps delineating the boundaries of nonrural areas from the U.S. Fish and Wildlife Service, Office of Subsistence Management.

\* \* \* \* \*

Dated: July 24, 2006.

**Peter J. Probasco,**

*Acting Chair, Federal Subsistence Board.*

Dated: July 24, 2006.

**Steve Kessler,**

*Subsistence Program Leader, USDA—Forest Service.*

[FR Doc. 06–6902 Filed 8–11–06; 8:45 am]

BILLING CODE 3410–11–P; 4310–55–P

#### DEPARTMENT OF AGRICULTURE

##### Forest Service

##### 36 CFR Part 242

#### DEPARTMENT OF THE INTERIOR

##### Fish and Wildlife Service

##### 50 CFR Part 100

##### RIN 1018–AU15

#### Subsistence Management Regulations for Public Lands in Alaska, Subpart C and Subpart D—2007–2008 Subsistence Taking of Wildlife Regulations; 2007–2008 Subsistence Taking of Fish on the Kenai Peninsula Regulations

**AGENCIES:** Forest Service, Agriculture; Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would establish regulations for hunting and trapping seasons, harvest limits, methods, and means related to taking of

wildlife for subsistence uses during the 2007–2008 regulatory year. The rulemaking is necessary because Subpart D is subject to an annual public review cycle. When final, this rulemaking would replace the wildlife taking regulations included in the “Subsistence Management Regulations for Public Lands in Alaska, Subpart D—2006–2007 Subsistence Taking of Fish and Wildlife Regulations,” which expire on June 30, 2007. This rule would also amend the Customary and Traditional Use Determinations of the Federal Subsistence Board and the General Regulations on taking of wildlife. In addition, at the request of the Southcentral Subsistence Regional Advisory Council, the Federal Subsistence Board is accepting proposals to revise the regulations for fishing seasons, harvest limits, and methods related to taking of fish on the Kenai Peninsula for subsistence uses during the 2007–2008 regulatory year.

**DATES:** The Federal Subsistence Board must receive your written public comments and proposals to change this proposed rule no later than October 20, 2006. Federal Subsistence Regional Advisory Councils (Regional Councils) will hold public meetings to receive proposals to change this proposed rule on several dates from September 7, 2006, through October 20, 2006. See **SUPPLEMENTARY INFORMATION** for additional information on the public meetings, including dates.

**ADDRESSES:** You may submit proposals electronically to [Subsistence@fws.gov](mailto:Subsistence@fws.gov). See **SUPPLEMENTARY INFORMATION** for file formats and other information about electronic filing. You may also submit written comments and proposals to the Office of Subsistence Management, 3601 C Street, Suite 1030, Anchorage, Alaska 99503. The public meetings will be held at various locations in Alaska. See **SUPPLEMENTARY INFORMATION** for additional information on locations of the public meetings.

**FOR FURTHER INFORMATION CONTACT:** Pete Probasco, Office of Subsistence Management; (907) 786–3888. For questions specific to National Forest System lands, contact Steve Kessler, (907) 786–3592.

#### SUPPLEMENTARY INFORMATION:

##### Public Review Process—Regulation Comments, Proposals, and Public Meetings

The Federal Subsistence Board (Board), through the Regional Councils, will hold meetings on this proposed rule at the following Alaska locations, on the following dates:

## **UPDATE ON COUNCIL COMPOSITION**

In December 1998, Safari Club International (SCI) and others filed a lawsuit against the Secretaries of the Interior and of Agriculture and the Federal Subsistence Board. The original complaint challenged specific subsistence priority determinations and the process for making those determinations. In 2000, SCI amended its complaint to challenge the composition of subsistence regional advisory council (Council) membership. In 2003, the Council charters were changed to stipulate that members would represent either subsistence or commercial/sport users and to set a goal of 30% representation of commercial and sport users on each Council.

In August 2006, the Court concluded that the Board had not provided a sufficient administrative record showing rationale for the 70:30 Council composition plan. The Court ordered the Board to stop using the 70:30 system after the 2006 Council member appointment process and to promptly begin developing a plan for balanced membership that will meet ANILCA and FACA requirements. The Court stated that while 70:30 is one way of meeting FACA requirements, the Board should consider other ways of achieving balanced membership on the councils. Therefore, to address the Court's concerns and to be as inclusive as possible in developing the membership plan, the Office of Subsistence Management is proceeding as follows.

- As soon as possible, publish a 30-day notice in the Federal Register which will explain the current situation and the rationale for the 70:30 rule. The notice will request public comments regarding the 70:30 rule and solicit alternative plans for balanced Council membership.
- The content of the Federal Register Notice will be presented to the Councils at the winter 2007 meetings. At that time the Councils may hear public testimony and provide comments and suggestions.
- The Board will receive the Councils' and public comments, including pertinent testimony given at Council meetings, at the May 2007 Board meeting. The Board will review all suggested alternatives and modifications and develop a recommendation to the Secretaries.

If necessary, the Departments of the Interior and Agriculture will then begin the rule-making process.



## **UPDATE ON DRAFT CLOSURE, SUA, AND C&T POLICIES**

August 29, 2006

### **DRAFT CLOSURE POLICY**

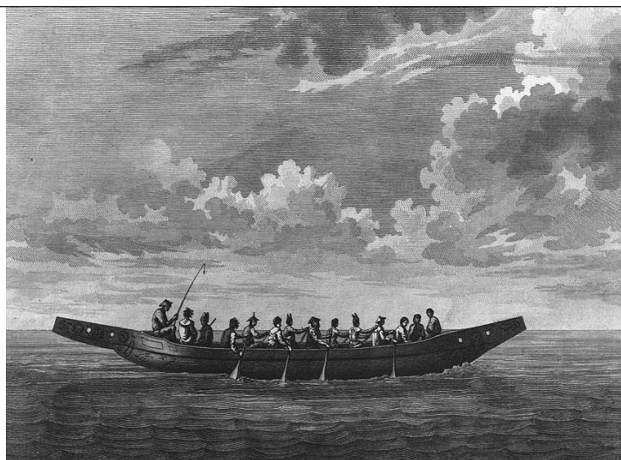
This draft policy describes how the Federal Subsistence Board will handle closures to hunting, trapping and fishing on Federal public lands in Alaska. All of the Regional Advisory Councils reviewed a draft of this policy at their winter 2006 Council meetings. Revisions were made to the draft policy based on comments from the Councils, the State of Alaska, and the Solicitor's office. At their August 25, 2006 meeting, the Board took more public comments and asked that a subcommittee of the Board work on this issue. Staff is continuing to review wildlife closures. Three of the ten Councils will be reviewing closures in their regions during the fall 2006 Council meeting cycle.

### **DRAFT SUBSISTENCE USE AMOUNTS (SUA) PROTOCOL**

This draft protocol was intended to provide guidance to State and Federal managers for coordinating subsistence management. A draft of the protocol was provided to the Councils for their review at the winter 2006 meetings. Many of the Councils raised serious concerns about some of the State's Amounts Necessary for Subsistence (ANS) numbers and the implications of using these numbers for management. No further work has been done on the draft protocol since the winter 2006 Council meetings, and a plan has yet to be developed for how to better approach the issue.

### **DRAFT CUSTOMARY AND TRADITIONAL USE (C&T) POLICY**

The purpose of the draft policy is to develop a clear written explanation of the Board's C&T use determination process. In recent years, ADF&G has expressed concerns that some of the Board C&T findings could create a larger pool of users, which could restrict nonsubsistence users. Staff is examining various options in developing this policy. The goal is to have a draft ready for review by the Councils during the winter 2007 meetings. A lawsuit has recently been filed by the State of Alaska concerning a Unit 12 Federal Subsistence Board C&T determination for Chistochina and Menatasta; this may complicate ongoing discussions with the State on the C&T Policy. Staff is putting together the administrative record on this C&T decision to file it with the 9th Circuit Court in early September.



***Southeast Alaska Regional  
Advisory Council***

**Dolly Garza, Ph. D.,  
Vice-Chair**

**University of Alaska  
Marine Advisory Program  
2417 N. Tongass 213A  
Ketchikan, AK 99901  
907-247-4978  
[ffdag@uaf.edu](mailto:ffdag@uaf.edu)**

March 30, 2006

Mitch Dementieff, Chair  
Federal Subsistence Board  
3601 C Street, Suite 1030  
Anchorage, AK 99503

Dear Mr. Dementieff,

The Southeast Alaska Regional Advisory Council (SERAC) met in Saxman, February 27 through March 3, 2006. At this meeting the Council reviewed the attached petition to the Secretaries of Interior and Agriculture concerning the present requirement that subsistence hunters possess a State of Alaska hunting license in order to hunt under Federal subsistence regulations. Because this is a statewide issue, other Regional Advisory Councils need the opportunity to review the draft SERAC petition and to provide their comments and suggestions. The Council proposes the following course of action to solicit input from other Regional Advisory Councils, revise, complete, and submit this petition for consideration by the Secretaries:

1. The draft SERAC petition will be provided to all Councils for their review and recommendation at fall 2006 Council meetings.
2. Councils will provide their comments and recommendations back to SERAC within one month of fall meetings.
3. SERAC will hold a teleconference meeting to finalize the petition on approximately Nov. 25, 2006. The comments and recommendations of other Councils will be appended to the final petition. The final petition will be submitted end of November, 2006.

Please address any questions with this letter either directly to me or through Dr. Robert Schroeder, Subsistence Management Coordinator, U. S. Forest Service, Alaska Region, Box 21628, Juneau, AK 99802-1628, 1(800) 586-7895, fax (907) 586-7860, [rschroeder@fs.fed.us](mailto:rschroeder@fs.fed.us).

Thank you for considering the recommendations of the Southeast Regional Advisory Council.

Yours truly,

s/s DOLLY GARZA

Dolly Garza, Vice-Chair

cc. Council Members:

Bert Adams Jr., Yakutat

Donald Hernandez, Pt. Baker/Petersburg

Floyd Kookesh, Angoon

Patricia Phillips, Pelican

Michael Bangs, Petersburg

Harvey Kitka, Sitka

Dick Stokes, Wrangell

Mike Douville, Craig

Nick James, Kake

Michael Soufoulis, Juneau

Frank Wright Jr., Hoonah

## DRAFT PETITION TO THE SECRETARIES CONCERNING HUNTING LICENSES

Secretary of the Interior

Mike Johanns  
Secretary of Agriculture

Dear Secretaries,

For a number of years, the Council has been concerned with the requirement that Federally-qualified subsistence hunters, using Federal lands to meet their subsistence needs, have been required to purchase and carry State of Alaska hunting licenses. The Council believes that this requirement is unnecessary, puts an undo financial and regulatory burden on Federally-qualified subsistence users, and conflicts with the intention of ANILCA to provide protection in Federal law for subsistence uses.

The Southeast Alaska Subsistence Regional Council (SERAC) met in Saxman, February 27 through March 3, 2006. The Council represents all southeast subsistence communities including Yakutat. The Council is authorized by the Alaska National Interest Lands Conservation Act (ANILCA), and chartered under the Federal Advisory Committee Act, to provide recommendations to the Federal Subsistence Board concerning regulatory and land management actions that may affect subsistence uses of fish and wildlife. ANILCA and the charter also recognize the Council's authority to "initiate, review and evaluate proposals for regulations, policies, management plans, and other matters related to subsistence uses of fish and wildlife on public lands within the region" and to "provide a forum for the expression of opinions and recommendations....(on) any matter related to the subsistence uses of fish and wildlife on public lands within the region."

The Council approved this Petition to the Secretaries at it Saxman meeting by unanimous vote on SERAC resolution 06-04. This petition requests deletion of the current requirement that Federally-qualified subsistence purchase and carry State of Alaska hunting licenses while hunting under Federal subsistence management regulations on Federal public land. The Council requests that this petition be provided to other Subsistence Regional Advisory Councils at their Fall 2006 meetings for review, revision, and concurrence.

### **Council authority**

The Council has addressed the license issue in its recent Annual Reports to the Secretaries. Councils are authorized to submit Annual Reports under ANILCA Sec. 805 (a) (3) (D). Among other things, the Councils Annual Reports shall contain:

*(iii) a recommended strategy for the management of fish and wildlife within the region to accommodate such subsistence uses and needs; and*

*( iv) recommendations concerning policies, standard guidelines, and regulations to implement the strategy...*

The Council considers this statutory direction to be central to its ability to represent subsistence interests in Southeast Alaska and insure that ANILCA protections for subsistence are in place. The Council believes that the license requirement is an issue of 'taking.' Under current Federal regulations, a Federally-qualified subsistence hunter may only take game if he or she is in possession of a State of Alaska hunting license. Because this is an issue of 'taking,' the Council believes that its recommendation concerning this provision is due deference under ANILCA Sec. 805 (c):

*The Secretary, in performing his monitoring responsibility pursuant to section 806 and in the exercise of his closure and other administrative authority over the public lands, shall consider the report and recommendations of the regional advisory councils concerning the taking of fish and wildlife on the public lands within their respective regional for subsistence uses. The Secretary may choose not to follow any recommendations which he determines is not supported by substantial evidence, violates recognized principles of fish and wildlife conservation, or would be detrimental to the satisfaction of subsistence needs. If a recommendation is not adopted by the Secretary, he shall set forth the factual basis and the reasons for his decision.*

### **Background on the current license requirement**

**Current regulations.** Information provided to the public in *Management Regulations for the Harvest of Wildlife on Federal Public Lands in Alaska* states,

*Subsistence hunters and trappers are required to possess State hunting and trapping licenses.*

Authorization for this license requirement is found in 36 CFR Ch. II (7–1–03 Edition)

**§ 242.6 Licenses, permits, harvest tickets, tags, and reports.** (a) *If you wish to take fish and wildlife on public lands for subsistence uses, you must be an eligible rural Alaska resident and:* (1) *Possess the pertinent valid Alaska resident hunting and trapping licenses (no license required to take fish or shellfish, but you must be an Alaska resident) unless Federal licenses are required or unless otherwise provided for in subpart D of this part;* (2) *Possess and comply with the provisions of any pertinent Federal permits (Federal Subsistence Registration Permit or Federal Designated Harvester Permit) required by subpart D of this part;* (3) *Possess and comply with the provisions of any pertinent permits, harvest tickets, or tags required by the State unless any of these documents or individual provisions in them are superseded by the requirements in subpart D of this part.*

Current Federal regulations require no license for subsistence fishing or taking of shellfish. They do require Federally-qualified subsistence users to possess State of Alaska hunting and trapping licenses.

**Regulatory background.** The Federal Subsistence Program's regulatory specialist, Bill Knauer, Office of Subsistence Management, provided the following background on this requirement, in response to the Council's request for information (pers. comm. 2005):

The initial intent as stated in the June 8, 1990 proposed rule was as follows "The intent of these regulations is to maximize the use of the State license system and permit system, consistent with the sound management of fish and wildlife and fulfillment of the Secretary's Title VIII responsibilities." This statement was reiterated in the June 29, 1990 final rule and an additional statement "Separate Federal licenses, permits, harvest tickets or tags will only be required where the State's requirements for licenses, permits, harvest tickets or tag conflict with the Federal government's efforts to provide for subsistence preference for rural residents on public lands." In the final rule of January 8, 1999, the statement is made "We have attempted to avoid confusion and unnecessary duplication wherever possible when establishing this program. The retention of State permits and licenses is one area where it is possible to avoid unnecessary duplication." The following statement is found in a 1996 briefing document that addressed residency and licensing requirements:

*The requirement for an individual to possess a hunting or fishing license is consistent with sound management principles. The information obtained from the issuance of licenses allows managers*

*to estimate the hunting or fishing pressure likely to be directed at wildlife populations in certain areas. The revenues obtained from licenses directly support the Alaska Department of Fish and Game, providing for wildlife surveys, research, habitat improvement, education and information. License sales also result in millions of dollars in matching funds coming from the Federal government for the specific purpose of habitat acquisition, improvement and wildlife management.*

In response to comments from John Littlefield and others, a reply to Mr. Littlefield from the Assistant Regional Director, Office of Subsistence Management in late 2004/early 2005 contained the following information:

The Federal Subsistence Management Program presently requires Federally-qualified subsistence hunters to possess an Alaska resident hunting license. This requirement was established during development of the original Federal Subsistence Management Program structure. The Secretaries decided that the cost of a general hunting license (currently \$25.00 or \$5.00 in the case of a low income license) is minimal in comparison to the benefits accruing to both the subsistence user and the State. Not only is necessary user and harvest information collected from licenses, harvest tickets, and reports, but the Alaska Department of Fish and Game generates monies to conduct important wildlife studies and surveys that translate into better management of wildlife resources for all users.

The State of Alaska resident general hunting license costs \$25. There are no sport hunting licenses. All Alaska residents 16 years or older must possess a valid license to hunt. Residents 15 or younger are not required to have a license in order to hunt. Residents 65 or older may hunt with a free identification card. A resident may purchase a \$5 low income license if his family income is below \$8,200 (before taxes) or he obtained assistance during the preceding six months under any State or Federal welfare program. The monies collected from license fees go into the ADF&G budget, not the general State Treasury.

Additionally, the Alaska Department of Fish and Game receives significant Federal funds through the Federal Aid to Wildlife Restoration Program. In 2004 this amounted to \$8,648,602 and in 2003 the amount was \$9,107,484. The apportionment is determined by a formula which considers the total area of the state and the number of licensed hunters in the state. When utilizing these funds, the state must provide at least 25 percent of project costs from a non-federal source. Projects that are eligible for funding under this program include: wildlife population management, habitat management, surveys and inventories, research, hunter/trapper education, land acquisition, etc.

In January 1996, the Federal Subsistence Board concluded that “The requirement for an individual to possess a hunting or fishing license is consistent with sound management principles. The information obtained from the issuance of licenses allows managers to estimate the hunting or fishing pressure likely to be directed at wildlife populations in certain areas.”

#### **Council license considerations.**

1. **Affected subsistence users.** Residents of Adak, Anchorage, Fairbanks, Homer (and nearby communities), Juneau, Kenai (and nearby communities, Ketchikan, the Matanuska-Susitna area, the Seward area, and Valdez are presently considered non-rural places for the purposes of Federal subsistence management. All other Alaskan residents, living in approximately 220 communities, are considered rural residents and are eligible for subsistence harvesting under the Federal program (Federally-qualified users). ANILCA was written to guarantee the continuance of



cultural and social subsistence activities by members of these communities.

2. **Affected area.** Over half of Alaska's land area consists of Federal Public Land under the administration of Department of Interior or Department of Agriculture. Roughly 200 million of Alaska's 365 million acres are under Federal management. In Southeast Alaska, except for Native corporation land, limited state and municipal withdrawals, and small amounts of private land, land is administered by USDA Forest Service and DOI National Park Service, with very small amounts of land administered by other Federal agencies. Statewide, a large majority of the harvesting of land mammals by Federally-qualified subsistence users takes place on Federal Public Land. In Southeast Alaska, almost all subsistence harvesting of land mammals takes place on Federal Public Land.
3. **Rationale for adoption of State of Alaska license regulations.** The 1989 State of Alaska Supreme Court decision in the McDowell case ruled that the rural provisions of the State subsistence law were unconstitutional. This ruling meant that the State of Alaska could not comply with the ANILCA provisions requiring provision of a preference for rural subsistence users.

The expectation following this court decision was that the State of Alaska would quickly amend its constitution to comply with the rural provisions of ANILCA. The State of Alaska legislature had changed the State subsistence law to incorporate a rural preference a few years before the 1989 State Supreme Court decision. The initial actions of the Federal Subsistence Program attempted to minimize change from the State of Alaska regulatory program. Accordingly the Federal program adopted most of the State of Alaska regulations and procedures wholesale to minimize public confusion and to allow a speedy transition back to State of Alaska management of subsistence. To this end the Federal program adopted most season and harvest limit regulations, most State customary and traditional determinations and procedures, and State license requirements. Throughout the 1990s serious attempts were made to bring the State of Alaska constitution in compliance with ANILCA provisions. Since 2000, the State of Alaska has discontinued its efforts to regain management authority over subsistence through constitutional, legislative, or congressional means.

State license requirements in 1990 required that subsistence users possess a state hunting license. State regulations did not require possession of a state fishing license.

The Council believes that this initial decision was a reasonable one, given the anticipation that Federal management of subsistence in Alaska would be of very limited duration. We do not believe, however, that this temporary acquiescence to State of Alaska regulations and license requirements continues to be warranted.

4. **Current license issues.** We are now in the 17<sup>th</sup> year of Federal management of subsistence harvests on Federal public land in Alaska. All indications are that the Federal program will continue indefinitely into the future. We believe that it is appropriate to review and revise the initial Federal program decision concerning requiring Federally-qualified subsistence users to possess State of Alaska hunting licenses.
5. **ANILCA.** Nothing in the authorizing legislation requires the use of State of Alaska hunting licenses. The decision to require licenses was a Secretarial decision made during the initial organization of the Federal Subsistence Program. The Council believes that this initial decision is ripe for review and should be subject to a new Federal rulemaking.



6. **State support for ANILCA subsistence protections.** Under State of Alaska statutes, State management and regulatory actions are unable to comply with, much less actively support, the provisions of ANILCA which require subsistence protections to Federally-qualified rural residents. The 1989 State of Alaska Supreme Court decision simply does not allow a rural preference. In recent years, the State has frequently opposed the provisions season and harvest regulations that the Councils recommended as being necessary to meet subsistence needs. The State has often opposed the very limited restrictions placed on non-Federally qualified hunters and fishers that the Councils and the Federal Subsistence Board have found to be needed to allow for subsistence harvests. The State has opposed Federal provisions required by ANILCA to regulate customary trade, use of nonedible parts of subsistence harvests for handicrafts, and to allow designated hunters to provide fish and wildlife to members of their communities. This opposition to the interests of Federally-qualified subsistence users has been partially funded by the license fees these users pay to the State of Alaska.

License fees also support some construction of facilities to support hunting and fishing. These facilities may include boat ramps, viewing stations, or firing ranges. The Council believes that these facilities, partially supported by State license fees, generally are not used by nor serve the interests of rural subsistence users.

Much of the biological research undertaken to support species used for subsistence is funded directly by the Federal Subsistence Program, and much of the other data collection that documents subsistence harvests and use and supports the Federal Subsistence Program is funded directly with Federal funds. Most of this work is undertaken directly by Federal biologists working for the four Federal land management agencies and the Bureau of Indian Affairs, or under Federal contract with communities, tribal government organizations, universities, other researchers, and with the Alaska Department of Fish and Game. Federal agencies provide about \$3,000,000 per year to the department for biological and traditional ecological knowledge studies to provide information. The fees from the State of Alaska hunting licenses required of Federally-qualified hunters do not account for a major share of funds spent on the staffing or data collection that supports the Federal Subsistence Program.

Furthermore, the Federal government provides the State of Alaska with funding to support needed liaison and coordination functions with the Federal Subsistence Program. The Federal agencies provide about \$500,000 yearly to the Alaska Department of Fish and Game for these activities. These liaison and coordination functions are not funded through the use of the hunting license fees in question.

The Council respects the professional integrity and competence of Alaska Department of Fish and Game biologists and anthropologists, and uses their expertise, along with the expertise of Federal, tribal, and non-government specialists, in making its recommendations. The State staff's responsibility, however, is determined by State of Alaska statutes and does not align with ANILCA requirements.

7. **Financial Implications.** The current State of Alaska license creates a financial burden on Federally-qualified subsistence users, many of whom have limited cash resources. Recent efforts by the Alaska Department of Fish and Game to increase license fees would have fallen disproportionately on rural users.

State license fees are used as matching funds for Federal matching funds under Pittman-Roberts, Wallop-Boureaux, and Dingle-Johnson programs. The Federal funds come from taxes on rifles, ammunition, and other gear used by hunters. The Council believes that these uses of license fees

and taxes paid by rural hunters are not presently being used for the benefit of Federally-qualified subsistence users. The State uses these funds primarily to support programs that benefit non-Federally qualified hunters and support the State management direction, which strongly opposes the ANILCA subsistence provisions.

## **Remedy**

The Council petitions the Secretaries to eliminate the requirement that subsistence users possess a State of Alaska hunting license. This change will require a formal rulemaking. The Council proposes a number of steps to reach this regulatory change.

1. Based on consultation with Federal staff, the regulatory change should probably be made at XXX.

Suggested wording:

(xxx) A Federal hunting license will be issued to a qualified Federal subsistence user. This license authorizes the licensee to hunt under Federal subsistence regulations on Federal Public Land. No other license is required. If hunting under this license, the user must have this license in possession while in the field.



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Izembek National Wildlife Refuge  
P. O. Box 127  
Cold Bay, Alaska 99571  
1-877-837-6332



**Izembek National Wildlife Refuge – Agency Report  
for the  
Kodiak/Aleutians Federal Subsistence Regional Advisory Council  
Fall Meeting – September 22, 2006  
(Complied 08/07/06)**

### **Caribou**

The caribou subsistence season opened on federal lands in 9D on August 1. The harvest limit is now 2 bulls per Federal Registration permit. Season dates are August 1 – September 30 and November 15 – March 31 and registration permits are available from the Izembek Refuge office and locations in the surrounding communities. Refuge staff are working to ensure the best data is received from the permits to get a better handle on the subsistence need of the area. Permittees will be reminded that they are required to turn in their harvest data or it could affect their permit for the following year. This, in turn, will assist wildlife managers in better management of the herd.

There are still concerns over the Southern Alaska Peninsula Caribou Herd (SAPCH), however no new surveys have been completed since January 2006. The refuge staff will work with the Alaska Fish and Game Department this fall to complete a composition count, collaring and testing of caribou in the area. Collaring should provide for more accurate surveys by identifying locations of herds. The testing should provide additional information about the health of the herd. The refuge staff continues to work with the State Game and Fish on the revision of the SAPCH management plan. A winter population count of the herd will continue to be a high priority for the refuge.

### **Waterfowl: Brant**

Last fall there was an increase in the percentage of juvenile brant (33% juveniles to adults) when surveys were conducted in the Izembek area. This shows a successful 2005 breeding season. The winter black brant counts also showed an increase in brant numbers not only remaining at Izembek Refuge area (19,616 brant), but also in Mexico (101,737 brant). Total 2006 winter population was 133,861 brant. As a result, this larger survey number increased the three-year average (115,571 brant) to the point of changing from a very restrictive harvest (a drop of 50% similar to 2005) to a restrictive harvest similar to 2004. The general season for Alaska is September 1 – December 16 rather than the one month allowed last year. Active trapping of foxes in the breeding grounds, and closure of egg gathering and hunting in the five nesting colonies on the Yukon Delta are expected to continue to improve nesting success and numbers of juvenile birds. While this is all good news, there are some concerns by biologists that the current Brant Management Plan moves too quickly to more liberal seasons when a single year of larger population numbers boosts the three year average.

## Avian Influenza

Avian Influenza is currently the highest priority for the refuge staff. Sampling of migratory swans on the Alaska Peninsula was completed in July. We are awaiting the test results from these birds. The swans were also collared with blue neck collars. Anyone seeing a swan with a neck collar is requested to provide information on the date, location and the collar number to our refuge office. Ongoing tests on the Yukon Delta and other areas around the State of Alaska have not found the deadly strain of the avian influenza virus. Izembek staff will be testing pintails, Steller's Eiders and brant this fall. As part of the pintail testing several areas on the refuge will need to be close to hunting during the months of September and October. This is due to the need to bait birds to capture them. Steller's Eiders will be tested during the end of August through September when the birds are flightless. Brant testing will occur on recently killed birds from hunters this fall. Other species of waterfowl harvested by hunters will also be tested.

For updates and additional information the following web sites are good information sources or call the refuge office at 877-837-6332. To report dead birds please call **1-866 5BRDFLU (1-866-527-3358)**. Please note the location (GPS coordinates are best), species of bird, and the date and time that you found them.

<a href="http://www.r7.fws.gov/media/avian_influenza/index.htm">http://www.r7.fws.gov/media/avian_influenza/index.htm</a>	U.S. Fish & Wildlife, Alaska
<a href="http://www.nwhc.usgs.gov/disease_information/avian_influenza/index.jsp">http://www.nwhc.usgs.gov/disease_information/avian_influenza/index.jsp</a>	Wild Bird Information
<a href="http://www.cdc.gov/flu/avian/">http://www.cdc.gov/flu/avian/</a>	U.S. Information
<a href="http://www.epi.hss.state.ak.us/id/influenza/fluinfor.htm">http://www.epi.hss.state.ak.us/id/influenza/fluinfor.htm</a>	State Information
<a href="http://www.who.int/csr/disease/avian_influenza/en/index.html">http://www.who.int/csr/disease/avian_influenza/en/index.html</a>	World Updates

Individuals should use care when handling wild birds. Wear basic protection such as rubber gloves, keep tools and work surfaces clean when preparing wild meats. Avoid fluid discharges, fecal material and birds that are obviously sick or found dead. Viruses can be neutralized with heat, drying and disinfectants (like a 10% bleach solution). Freezing will not kill the virus, so continue to take precautions with birds that have been frozen.

## Comprehensive Conservation Plan

The Izembek refuge staff is in the process of writing the refuge objectives for the Izembek Comprehensive Conservation Plan. It is hoped that there will be a draft plan available for public comment by January 2007.

## Fisheries

Refuge staff are supporting the final year of the Sockeye and Coho Salmon Escapement project at Mortensen's Lagoon. The fish were late in coming in and numbers have increased during the recent month. This project is conducted by the US Fish and Wildlife Service, King Salmon Fishery Resource Office.



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
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### **Activity Report Kodiak National Wildlife Refuge March 2006 – August 2006**

#### **Fisheries Overview**

Kodiak National Wildlife Refuge and Bureau of Indian Affairs personnel collaborated this spring to facilitate and bring in funding of two fishery projects (synopsis below). Unfortunately, they were not supported by either State or Federal subsistence managers due to the lack of concern by villagers. An Ayakulik River steelhead population estimate project was conducted for a second consecutive year, with aid from the Alaska Department of Fish and Game (ADF&G), Sport Division.

Ms. Pattinson has spent three quarters of the year detailed in the Anchorage migratory bird office assisting with the Avian Influenza study, a regional health, safety and subsistence issue. At this time it is unknown when she will return to the Refuge Office.

Sockeye escapement to Karluk exceeded the upper end of the escapement goal range, despite continuous commercial fisheries along the west-side since June 1. In Alitak, the Upper Station early sockeye salmon escapement was not within the escapement goal range. The Ayakulik sockeye salmon run was weak, with escapements being below the number needed to achieve the lower escapement goal, despite no commercial fisheries. Minor sockeye system escapements/run strengths were variable. The Buskin River sockeye salmon escapement count was above the upper escapement goal despite heavy subsistence fishing and increased sport bag limits (this area is closed to commercial fishing through early July because in most years this run is fully utilized by subsistence and sport anglers). Afognak sockeye escapements, which have been at low levels for several years, were within the desired range for this date (see Table for escapement goal change). Restrictions were placed in the Afognak (Litnik) area for subsistence and sport fishery user groups. The Pasagshak Bay sockeye run was strong, and the number of sockeye recently observed in Saltery Lake was greater than in all but the strongest years. There was little or no information on sockeye runs at Uganik, Little River, Pauls/Perenosa Bay, or other minor sockeye systems.

Both the Ayakulik and Karluk Chinook salmon escapements were low throughout the migration period. Non-retention of Chinook salmon greater than 28" had been mandated for the Inner and Outer Karluk Section commercial fisheries, and Chinook salmon sport fishery bag limits were been reduced in the Karluk and Ayakulik systems to one Chinook salmon.

**Table 1**—Current and recommended Chinook and sockeye salmon escapement goals by spawning system in the Kodiak Management Area (ADF&G).  $S_{msy}$  : Maximum Sustained Yield

Species System (stock)	Escapement Goals		
	Lower	$S_{msy}$	Upper
<b>Chinook salmon</b>			
Karluk River	3,600	4,492	7,300
Ayakulik River	4,800	6,638	9,600
<b>Sockeye</b>			
Malina	1,000		10,000
Pauls Bay	10,000		30,000
Afognak Lake	20,000	34,000	50,000
Little River			
Uganik Lake			
Karluk River			
Early Run	100,000	150,000	210,000
Late Run	170,000	270,000	380,000
Ayakulik	200,000		500,000
Akalura			
Upper Station			
Early Run	30,000		65,000
Late Run	120,000	186,000	265,000
Frazer Fish Pass	70,000	105,000	150,000
Buskin River	8,000		13,000
Pasagshak	3,000		12,000
Saltery Cove	15,000		30,000

In 2004, ADF&G initiated a three year Kodiak fishery subsistence harvest project under funding from the Office of Subsistence Management. Refuge personnel have extensively assisted with the field implementation of this effort. To date interim reports of findings have not been completed or distributed. A benefit to the Refuge office would be a timely submission of in-season data to document harvest under state and federal subsistence regulations. A goal of the Refuge office is to start an in-season subsistence harvest management project which would aid federal and state fishery biologist in making sure that subsistence user groups are meeting their harvest needs. This in-season management project in addition to the post-season harvest project would provide essential information in the federal and state biologist decision making process.

### Sea Otter

Endangered Species Act Listing. In 2005, the U.S. Fish and Wildlife Service listed northern sea otters in Southwest Alaska as threatened under the Endangered Species Act (70 FR 46366). This determination was based on population surveys which indicated dramatic declines throughout much of the population segment's range (e.g., marine water adjacent to Kodiak Island, the western Alaska Peninsula, and Aleutian Islands). The Service has formed a recovery team which will provide the Service with recommendations and a plan for the recovery of this threatened population. Representatives to the recovery team include TASSC Chairperson, Margaret Roberts and Dick Jacobson from Sand Point. The next meeting of the recovery team will be 24-25 October 2006 in Anchorage. More information on the recovery team and the listing actions can be found at: <http://alaska.fws.gov/fisheries/mmm/seaotters/recovery.htm>



Endangered Species Act Special Rule (ESA). On August 15, 2006, the Service published a special rule under section 4(d) of the ESA regarding authentic Native articles of handicraft. This rule allows for the limited, noncommercial import and export of items that qualify as authentic native articles of handicrafts and clothing that were derived from sea otters legally taken for subsistence purposes by Alaska Natives from the listed population. This special rule also allows for cultural exchange by Alaska Natives and activities conducted by persons registered as an agent or tannery under existing law. This final rule also amends our definition of “Authentic native articles of handicrafts and clothing” at 50 CFR 17.3 by striking the stipulation that such items were commonly produced on or before December 28, 1973.

Kodiak Population Trends. The Service's Marine Mammals Office (MMM) completed data analyses on sea otter population trends for the Kodiak archipelago. It appears that the Kodiak Archipelago is on the eastern edge of the overall sea otter population decline in southwest Alaska. Abundance estimates of sea otters in the archipelago have decreased from 13,526 ( $\pm 2,350$ ) in 1989 to 11,005 ( $\pm 2,138$ ) in 2004.

Mortality Studies. The Service has submitted a request to the Unusual Mortality Event Working Group (Section 404 of the Marine Mammal Protection Act) for consideration of a sea otter mortality event occurring in Kachemak Bay, Alaska. Although sea otters in Kachemak Bay belong to the southcentral Alaska population stock, they are located immediately adjacent to the ESA listed southwest DPS. We have documented sea otter mortality of all age classes but most of the carcasses recovered were prime-age adult males. The predominant cause of death has been acute valvular endocarditis and sepsis caused by a *Streptococcus bovis/equinus* complex infection. We also observed a few cases of this disease within the listed population at Kodiak, the Alaska Peninsula, and the Aleutian archipelago. To date, we do not understand the mechanism for the infection in sea otters and it is uncertain whether there is any impact on the overall population. One possibility is that something is weakening the immune response to allow the bacteria to flourish. In a related finding from a collaborative study by the U.S. Fish and Wildlife Service and the U.S. Geological Survey, preliminary results indicate that a majority of sea otters captured in the eastern Aleutians/southern Alaska Peninsula and the Kodiak archipelago in 2004 tested serologically positive for phocine distemper, a type of morbillivirus. Prior to these results, this virus had never been documented for sea otters in Alaska. Preliminary histopathology conducted by Dr. Kathy Burek, suggests that exposure to a morbilli or morbilli-like virus could have an effect on immune response. We have recently begun to test for morbillivirus in sea otter carcasses from Kachemak Bay. The next steps in the investigation are: 1) continued sample collection and analysis; 2) capture of live sea otters in the Lower Cook Inlet area to screen for infectious disease; and 3) assessment of sea otter population trends in Lower Cook Inlet.

### **Sitka Black-tailed Deer**

Sitka black-tailed deer mortality surveys on Kodiak Refuge were completed in April. The purpose of the survey, which has annually operated since 1992, is to index trend in over-winter survival of deer, measured by the number of deer carcasses per unit area in different regions of Kodiak Island.

Three sites were surveyed, including Chief Cove (west Kodiak Island), north Sitkalidak Strait (east Kodiak Island), and west Olga Bay (south Kodiak Island). Survey results revealed a low/moderate mortality rate over winter, totaling 58 carcasses. Carcass count by area consisted of 47 at Chief Cove, nine at Sitkalidak Strait, and none at Olga Bay. By contrast, the 2005 survey yielded a total of nine carcasses in the same areas and the 2004 survey totaled 37. As many as

114 total carcasses have been counted at these three survey areas following a severe winter, such as occurred in 1998-99.

We suspect that more fawns died than are represented in our sample, but we do not sample hair piles without bones, and carrion feeders tend to pack off bones of fawns that die in early winter. Assessment of carcass condition indicated that most of the dead deer we encountered probably died during November. Age composition of these 58 carcasses tallied in 2006 was 45% fawns and 55% adults. Of the 58 deer carcasses, 42 included leg femur bones and sampling of these indicated that death was caused mainly by starvation.

### **Brown Bear**

In April 2006, Mr. William Leacock, Wildlife Biologist joined the Refuge staff. Mr. Leacock will assume responsibility for coordinating the Refuge's bear program.

Every year the Refuge the Refuge and ADF&G collaboratively assess trends in bear density in one of several regions of Kodiak Island. Surveys results are used in conjunction with harvest data to regulate subsistence and sport hunts. In May 2006, we surveyed bears in the Terror Lake vicinity. A combination of poor weather for flying and the rapid onset of leaf-out precluded us from carrying out a statistically analyzable census. Nevertheless, the data we were able to collect indicates that bear density within the Terror Lake Census Area has not changed since the last census in 1997.

The survey report is presently in preparation. Copies of this report will be provided to committee should the agencies recommend any changes to management of bear harvest on the Refuge. ADF&G has scheduled a meeting in October 2006, to discuss options for changing harvest quotas for the recreational sport hunt.

### **Comprehensive Conservation Plan Revision**

Refuge's Revision Status of Comprehensive Conservation Plan. The Final plan has now been written. The schedule as of August 9, 2006 is as follows. It will be sent to the printer by August 18 and should be available to the public by mid-September. There will be a 30-day public comment period on this plan followed by the preparation and distribution of the Record of Decision. Once the Record of Decision is completed, implementation of the revised plan will begin.

In this revision, no changes were made concerning subsistence management or uses on the refuge. The refuge will ensure that rural residents have access to and priority use of refuge resources for the purposes of subsistence, as determined by law. The plan did establish a subsistence goal and three management objectives to further guide how the refuge will continue to manage for subsistence resources and uses.

### **Other Cooperation**

Invasive Weed Cooperative Outreach. The Refuge is continuing its invasive weed survey and control efforts in collaboration with the Kodiak Soil and Water Conservation District. Thus far in 2006, the Refuge collectively completed three survey and two weed control missions at Camp Island, Karluk Lake, and Garden Island, Uganik Bay. Weeds targeted in survey and control efforts included orange hawkweed and Canada thistle.

USFWS Tribal Wildlife Grants. The Refuge has continued to provide support for grant implementation support of two Service-funded Tribal Wildlife Grants: Natives of Larsen Bay and Natives of Port Lions. Natives of Larsen Bay intends to use its grant funds to build its resource management capacity through acquisition of GIS equipment, GIS training, and high-resolution digital orthophotos of the Karluk River watershed and Larsen Bay vicinity. Natives of Port Lions are using grant funds to construct a bear-proof fence around the Port Lions landfill. In support of grant implementation, ADF&G and the Refuge have offered and provided technical assistance to the Tribe.

Migratory Bird Harvest Survey. Migratory birds are an important subsistence resource throughout rural Alaska including the Kodiak Archipelago. Subsistence bird use under federal regulations is periodically monitored to evaluate composition and harvest trends. Results are applied to protect both subsistence use opportunities and the bird resource. Presently, surveys in Kodiak are conducted every other year. Accordingly, it is Kodiak's turn, and subsistence bird use will be assessed between spring 2006 and winter 2007 in Akhiok, Karluk, Larsen Bay, Old Harbor, Ouzinkie, and the Kodiak vicinity. The ADF&G, Division of Subsistence, and the Refuge are jointly coordinating the survey effort. A training session for local harvest surveyors took place in January. Surveyors, all of whom are affiliated with tribes, will be responsible for collecting data and forwarding it to the Refuge. Tonya Lee, Resource Information Technician with Kodiak Refuge, will coordinate with surveyors, monitor project progress, and issue data to the Subsistence Division for analysis.

### **Salmon Camp**

The Kodiak Summer Science & Salmon Camp successfully completed its 11<sup>th</sup> year. The Kodiak National Wildlife Refuge, in cooperation with Kodiak Island communities and the Alaska Natural History Association, developed Salmon Camp to educate Kodiak youth about natural cycles and processes that sustain salmon and other natural resources. Eight sessions were offered sequentially to children of different grade levels (pre-school through middle school). Additional sessions were held in Akhiok, Larsen Bay, Old Harbor, Ouzinkie, and Port Lions. Camp curricula featured environmental education and science topics including: weather, geology, limnology, predator/prey relationships, salmon dissection, tide pooling and zonation, food webs, animal adaptation, botany, fishing, salmon management, museums, and an archaeological dig site.



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
King Salmon Fish and Wildlife Field Office  
P. O. Box 277  
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Agency Report to the:  
Kodiak / Aleutians Regional Advisory Council

The following summarizes fisheries projects conducted by the US Fish and Wildlife Service on the Alaska Peninsula and Aleutian Islands during 2005-2006. Projects were funded either by the U.S. Fish and Wildlife Service's Fisheries Program (Base) or the Office of Subsistence Management (OSM).

### **Mortensens Creek weir project, Izembek National Wildlife Refuge. (OSM Funding)**

In cooperation with the King Cove Corporation and the Izembek National Wildlife Refuge, a fixed picket weir has been operated on Mortensens Creek from early June through late October annually since 2001. In 2005 the weir was operated from 1 July to 4 October 2005. Sockeye salmon *Oncorhynchus nerka* was the most abundant species counted through the weir (N=21,703) followed by coho *O. kisutch* (N=4,162), pink *O. gorbuscha* (N=164), and chum salmon *O. keta* (N=13). Dolly Varden *Salvelinus malma* (N=153), Bering cisco *Coregonus laurettae* (N=27), and starry flounder *Platichthys stellatus* (N=12) were also observed at the weir.

Sockeye salmon sampled at the weir were 54% female, and represented eleven age groups. Age 1.3 was estimated to be 66% of the run, age 2.3 was 17% and age 1.2 was 14%. The length for male sockeye salmon ranged from 374 to 632 mm and from 438 to 600 mm for females. Coho salmon sampled at the weir were 45% female and represented five age groups. Age 2.1 comprised 53% of the run and age 1.1 was 43%. The length coho salmon ranged from 344 to 710 mm for males and from 487 to 679 mm for females. The 2001 to 2005 escapement estimates are summarized in Table 1.

Table 1. Mortensens Creek weir project sockeye and coho salmon escapement estimates from 2001 to 2005.

Year	Sockeye Salmon	Coho Salmon
2001	4,268	5,279
2002	5,205	6,406
2003	16,804	8,184
2004	7,215	3,836
2005	21,703	4,162

### Estimation of coho salmon escapement in streams adjacent to Perryville, Alaska Peninsula National Wildlife Refuge. (OSM Funding)

Recent runs of coho salmon *Oncorhynchus kisutch* in the Kametolook, Three Star, and Long Beach rivers near Perryville have declined, and residents can no longer meet their subsistence needs in those rivers. Local residents are now taking coho salmon from streams outside the immediate vicinity of Perryville. With fishing effort spread out to other streams, we need to ensure escapement is maintained to meet the subsistence needs of the Native Village of Perryville. In order to prevent over harvest of these small stocks, escapement in those other streams needs to be monitored. In 2005, two aerial surveys were conducted to count adult coho salmon in streams near Perryville using low-level helicopter flights. Numbers of coho salmon counted in 2005 were lower than those observed during surveys in 2003 and 2004 (Table 2). Coho salmon run timing was also different in 2005. Most coho salmon were counted during the survey in late October 2005, whereas peak counts in previous years occurred in early October. Weather and local water quality conditions affected the survey interval and effectiveness in some streams.

Table 2. Comparison of coho salmon counts for streams surveyed in 2003 and 2004, Clark River counts are for sockeye salmon.

Stream	2003		2004		2005	
	Survey 1	Survey 2	Survey 1	Survey 2	Survey 1	Survey 2
Ivanof River	2,600	314	1,300	330	776	1,170
Humpback Bay	1,120	14	1,040	46	82	207
Red Bluff Creek	5,000	330 <sup>a</sup>	7,600	836	352	2,482
Ivan River	2,150	217	1,840	290	507	170
Clark River	6,100	9,700	5,890	3,240	3,520	4,100

### McLees Lake Weir Project, Alaska Maritime National Wildlife Refuge. (OSM Funding)

In cooperation with the Qawalangin Tribe, Ounalaska Native Corporation, and Alaska Department of Fish and Game, the King Salmon Fish and Wildlife Field Office operated a fixed picket weir at the outlet of McLees Lake on Unalaska Island from 29 May to 26 July 2005. Three species of salmon were counted through the weir including 12,097 sockeye *Oncorhynchus nerka*, 1 chum *O. keta*, and 3 pink *O. gorbuscha* salmon. Peak daily passage occurred on 13 June when 919 sockeye salmon were counted through the weir, and peak weekly passage occurred from 19 June to 25 June when 3,727 sockeye salmon were counted. Six hundred and seventy-six sockeye salmon were sampled for age, sex, and length analysis. Five age classes were identified from the 587 readable scales obtained from sockeye salmon sampled at the weir.

Age class 1.3 was the most abundant, accounting for 88 % of the sample. Females comprised an estimated 38 % of sockeye salmon sampled in 2005.

Sockeye salmon escapement into McLees has varied greatly during the 6 years of operation (Figure 1). To better understand the production of this system we have requested an additional 3 years of funding for this project.

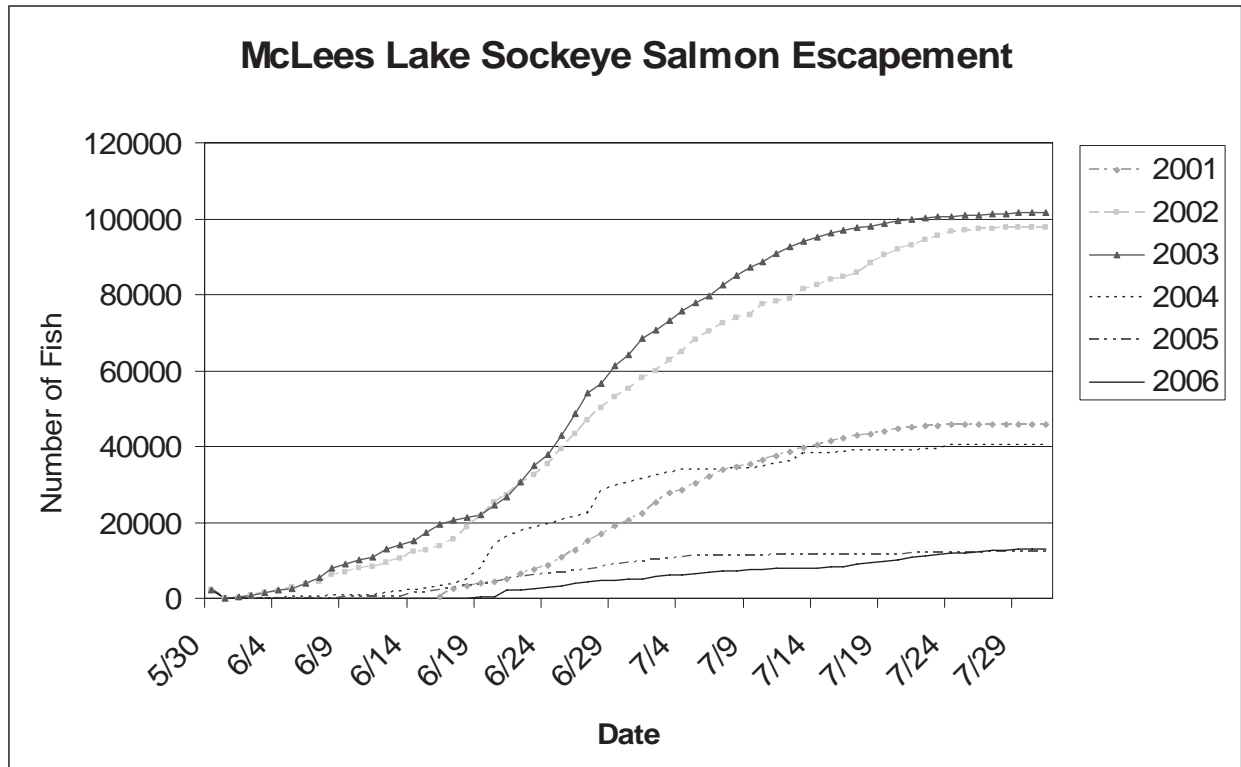


Figure 1. Estimated sockeye salmon escapement into McLees Lake 2001 to 2006.



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**Alaska Department of Fish and Game Report to the  
Kodiak-Aleutian Islands Region Subsistence Advisory  
Council: Update through July 2006 on the Buskin River  
Sockeye Salmon Fishery and Stock Assessment Project**

**By  
Donn Tracy**

**August 2006**

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**Alaska Department of Fish and Game**

**Division of Sport Fish**



**Alaska Department of Fish and Game Report to the Kodiak-Aleutian Islands  
Region Subsistence Advisory Council: Update through July 2006 on the  
Buskin River Sockeye Salmon Fishery and Stock Assessment Project**

by

Donn Tracy,  
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July 2006

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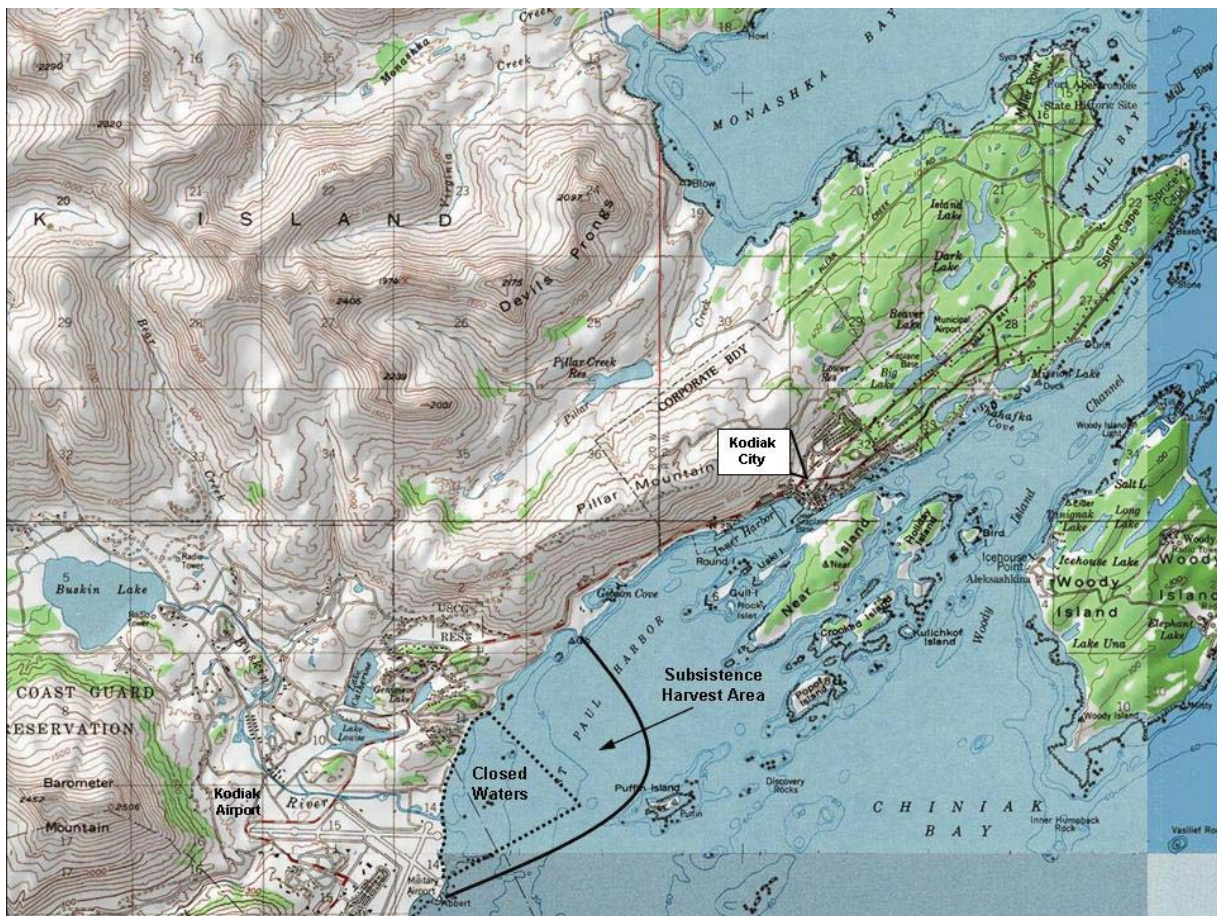
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## INTRODUCTION

### FISHERY DESCRIPTION

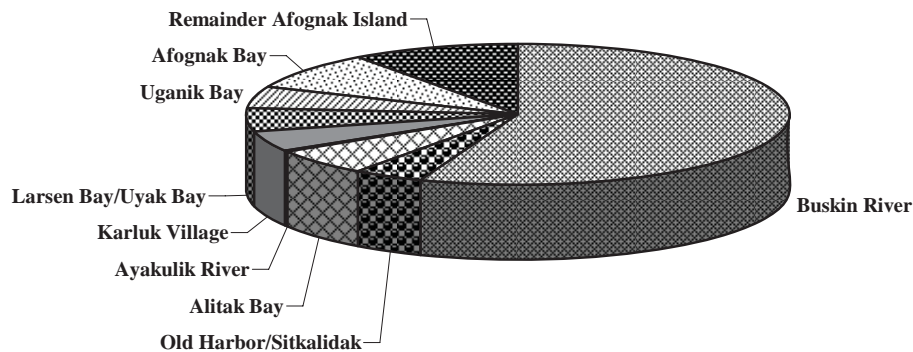
The Buskin River drainage, located on Kodiak Island approximately 2 miles from the city of Kodiak (Figure 1), currently supports the single largest subsistence salmon fishery within the Kodiak/Aleutian Islands Region. The fishery occurs in nearshore marine waters adjacent to the river mouth and targets several species of salmon, although sockeye salmon typically comprise as much as 80% of the total harvest (Table 1). Between 2001 and 2005 federally qualified subsistence users have annually harvested approximately 9,700 Buskin River sockeye salmon, which account for more than one-half of the total sockeye salmon harvest reported for the Kodiak/Aleutians federal subsistence region (Figure 2). In addition, about 40% of all subsistence users reporting activity during this period harvested salmon from the Buskin River fishery.



**Figure 1. Buskin River drainage, Kodiak Island, including general location of the Buskin River sockeye salmon subsistence fishery.**

**Table 1. Buskin River drainage reported subsistence salmon harvest by species, 2001-2005.**

Year	Permits	Reported Subsistence Harvest									
		Chinook		Sockeye		Coho		Pink		Chum	
		No. Fish	% of Total	No. Fish	% of Total	No. Fish	% of Total	No. Fish	% of Total	No. Fish	% of Total
2001	432	63	1%	10,262	84%	1,430	12%	376	3%	67	1%
2002	380	66	1%	10,804	88%	1,276	10%	146	1%	17	<1%
2003	468	26	0%	10,673	87%	1,245	10%	233	2%	26	<1%
2004	412	60	1%	9,034	84%	1,466	14%	188	2%	20	<1%
2005	393	94	1%	8,055	74%	2,374	22%	272	3%	26	<1%
5 Year Avg.	417	62	1%	9,766	84%	1,558	14%	243	2%	31	<1%

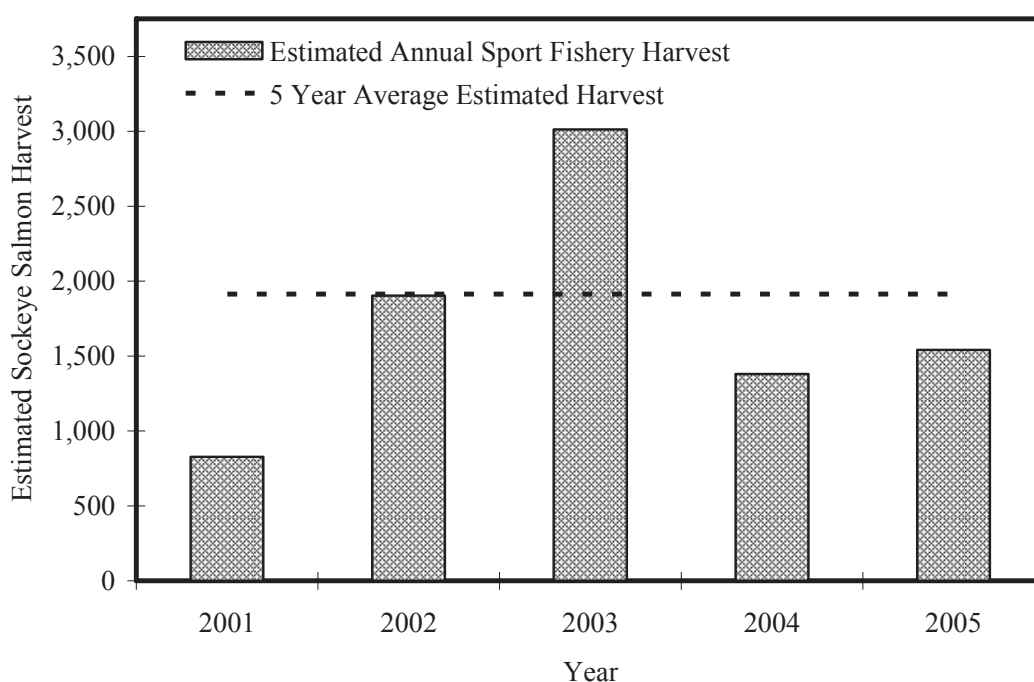


**Figure 2. Kodiak Area average annual reported federal subsistence harvest of sockeye salmon by location, 2001-2005.**

Buskin River sockeye salmon are also utilized by anglers and, to a much lesser degree, the local commercial fishery. In recent years, sport fishing on the Buskin River has comprised approximately 35%



of the freshwater recreational fishing effort in the Kodiak Management Area (Schwarz et al *in prep*). Between 2001 and 2005 the estimated sport harvest of Buskin River sockeye salmon has fluctuated annually from roughly 800 to 3,000 fish and averaged just under 2,000 (Figure 3). Current sport fishing regulations allow anglers to retain two Buskin River sockeye salmon per day (although during 2004, 2005 and 2006 the daily bag limit was increased to five fish per day inseason as a result of large weir counts). Commercial harvests of Buskin River salmon are usually small in comparison to other users. Fish ticket harvest receipts available from the Alaska Department of Fish and Game's (ADF&G) Commercial Fisheries Division indicate that between 2001 and 2005 the average annual commercial harvest of Buskin River sockeye salmon ranged from 0 - 1,000 fish.



**Figure 3. Estimated Buskin River sockeye salmon sport fishery harvest, 2001-2005**

## MANAGEMENT

The Buskin River sockeye salmon subsistence fishery is annually managed through inseason monitoring of adult fish escaping into the drainage. A salmon counting weir located on Buskin River for this purpose has been operated by ADF&G since 1985. In 2002 a second weir was installed on a major tributary stream flowing into the Buskin River from Catherine and Louise lakes. Escapement of adult sockeye salmon into Buskin Lake typically occurs between late May and mid August, with peak daily weir counts obtained during the second week of June (Figure 4). Since 2002 escapements into Catherine and Louise

lakes have occurred primarily during July and August, with the largest daily weir counts coinciding with flood events during that time period (Figure 4). Currently, an escapement goal range for Buskin Lake set at 8,000 - 13,000 fish is used for management of the sport, commercial and subsistence fisheries to ensure a sustained yield from the population. (Annual sockeye salmon escapement objectives for Catherine and Louise lakes have not yet been established.) If inseason weir counts during a given year indicate a total sockeye salmon escapement of at least 8,000 fish cannot be assured, the sport fishery is restricted by means of reduced daily bag limits or a complete closure of the fishery. Restrictions on any potential commercial harvest will also be enacted, and, if necessary as a final measure, inseason management actions aimed at regulating the subsistence fishery will also be placed in effect.

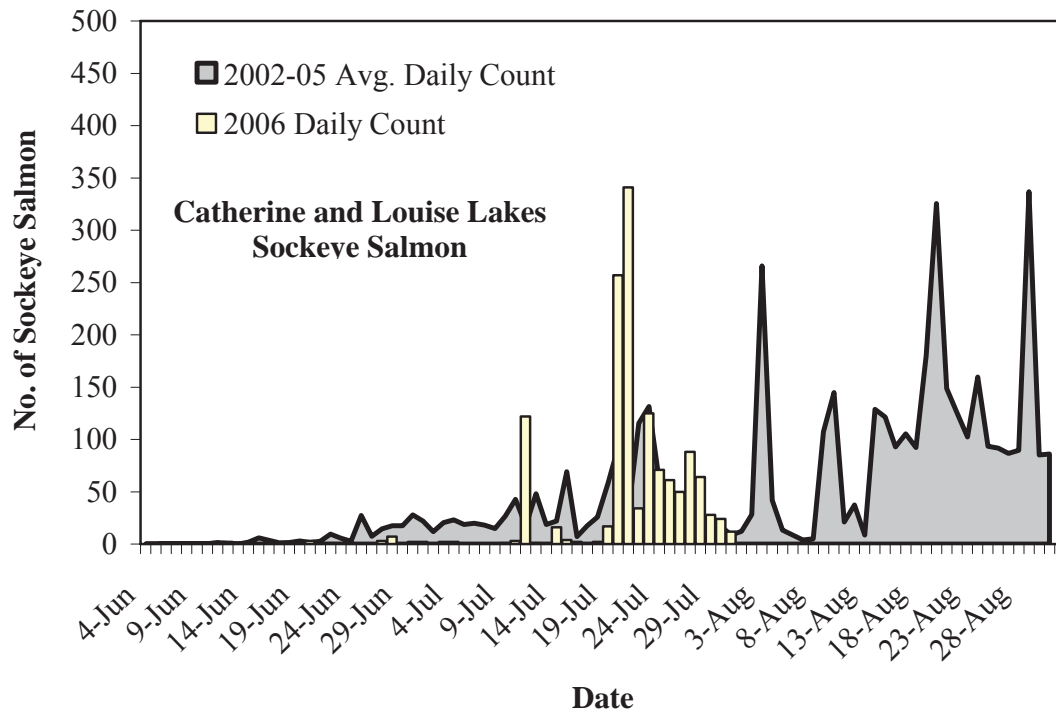
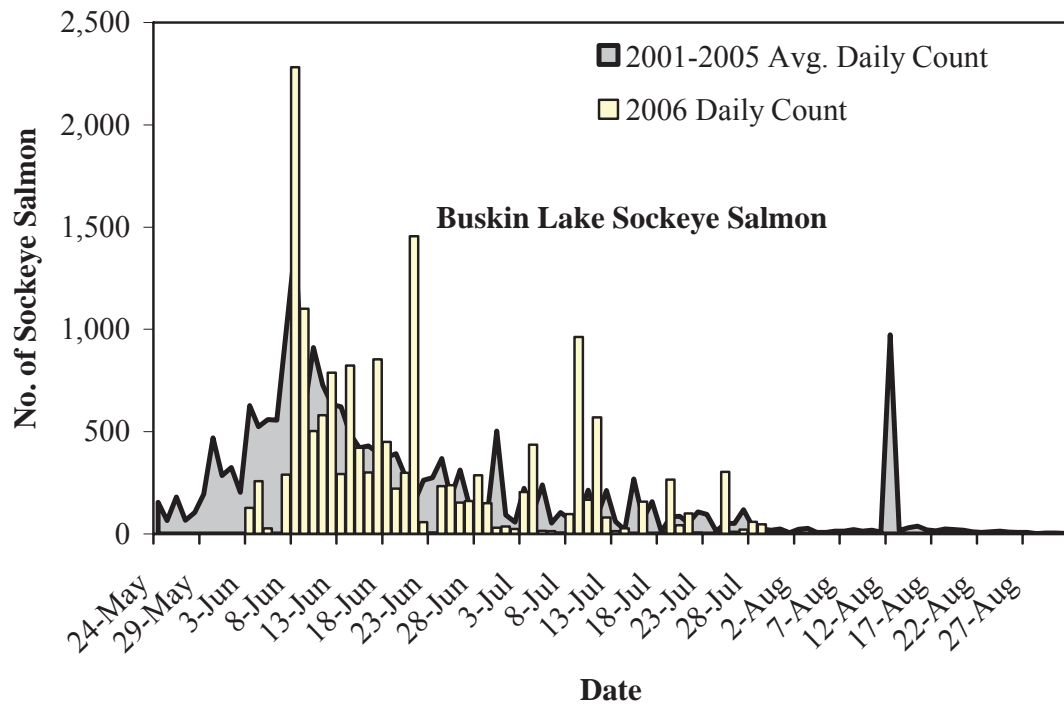
## 2006 FISHERY

In 2006 the Buskin River sockeye salmon total weir count on July 31 of slightly over 16,000 fish is lower than the most recent 5 year average total escapement of approximately 19,000 fish, but still within the range of yearly escapements during the same period (Table 2) and higher than the upper end (13,000) of the current escapement goal range.

**Table 2. Buskin Lake sockeye salmon escapement, 2001 - 2005, and through July 30, 2006, and Catherine/Louise lakes escapement, 2002 - 2005 and through July 30 2006.**

Year	Escapement	
	Buskin River	Lake Louise
2001	20,556	
2002	17,174	3,242
2003	23,870	4,488
2004	22,023	2,086
2005	15,601	2,028
Average	19,845	2,961
2006 escapement through July31	16,081	1,351

Timing of the 2006 Buskin Lake return was similar to that of previous years, occurring primarily during the month of June (Figure 4). The Catherine/Louise lakes tributary weir count through July 31 totaling 1,351 fish is slightly less than one-half the average season total count of 2,961 (Table2), but higher than the average count for this date. Thus far the 2006 return has been similar to other years in that most of the escapement has coincided with high water conditions, occurring on July 12, 24 and 25 (Figure 4). More than 65% of the total weir count to date was recorded during this 3 day period.



**Figure 4.** Recent year daily sockeye salmon weir counts into Buskin Lake and Catherine/Louise lakes.

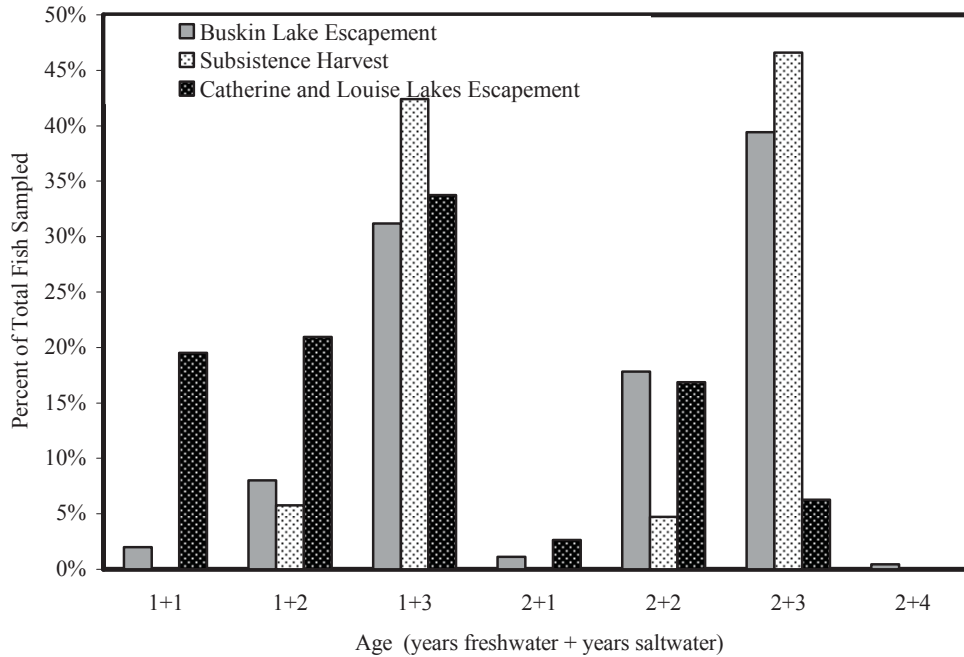
## **STOCK ASSESSMENT STUDY**

### **NEED FOR RESEARCH/STUDY OBJECTIVES**

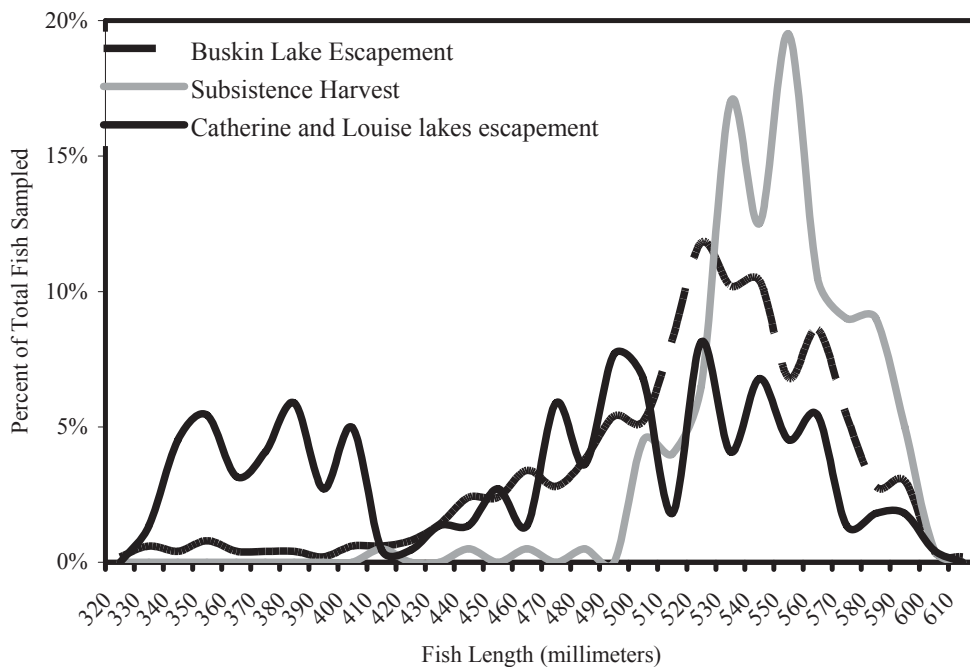
In order to ensure sustained sockeye salmon production over a long time period a stock assessment study was initiated by ADF&G in 2000 with the goal of establishing a Biological Escapement Goal (BEG), based on a population model using brood-year tables constructed from annual escapement and harvest figures along with the age composition of annual returns. Samples of adult sex ratios, average length and age class needed for the study are collected each year over the course of the returns from escapement through the two weirs and also from the subsistence harvest. Because development of the brood table requires age composition data collected over at least 3 generations of fish, annual data gathering for completion of the study is necessary over a minimum 12 year period.

### **PRELIMINARY STUDY RESULTS**

Data collected to-date from the stock assessment study show promise for determining an optimal BEG appropriate to sustain maximum harvest opportunities for federal subsistence users. Statistical analysis of sex and age class samples from the adult escapement and subsistence harvest indicate that the Buskin stock is primarily comprised of four and five year-old fish, which have a one or two year freshwater rearing life stage and spend two or three years at sea. Sample age composition and fish length data collected from the Catherine/Louise lakes escapement in 2005 and during previous years indicate difference to those collected from Buskin Lake escapements and during the same period, with Catherine/Louise lakes escapements comprised of more age four and age two fish and., consequently, a larger proportion of smaller fish (Figures 5 and 6). Age and length of the sockeye salmon subsistence harvest typically differs markedly from that of escapements, consisting almost exclusively of larger four and five year old fish. This disparity is most likely attributable to the size selectivity of gillnets used in the subsistence fishery.



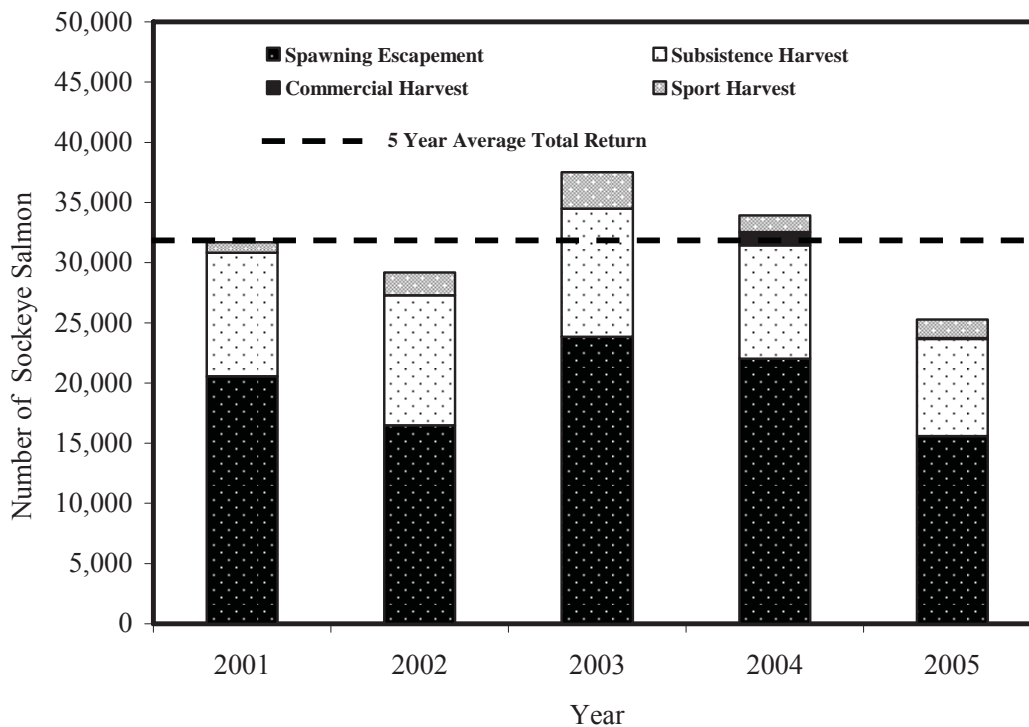
**Figure 5.** Relative frequency comparison of sample age compositions from the Buskin Lake and Catherine/Louise lakes sockeye salmon escapements and Buskin River drainage subsistence harvest, 2005.



**Figure 6.** Relative frequency comparison of sample fish lengths from the Buskin Lake and Catherine/Louise lakes sockeye salmon escapements and Buskin River drainage subsistence harvest, 2005.

Reconstruction of the Buskin Lake portion of the sockeye salmon run by its various components indicate that although historically the total return has remained relatively stable at approximately 19,000 fish, since 2001 the annual return has increased substantially, up to more than 37,000 fish in 2003, and to an annual average of more than 30,000 (Figure 7). During the same time frame subsistence harvests have averaged around 35% of the total run and, by harvest volume, have constituted the most important user group dependent on the Buskin River sockeye salmon resource.

During 2004 a preliminary evaluation of sockeye salmon age composition and the combined run components was completed. Results of the analysis indicate that minor adjustment downward of the escapement goal may be warranted; however, the overall poor precision of the recently estimated BEG further indicate that more stock assessment data is needed, which will become available with continued funding for the study. The recent BEG analysis is currently being published in an ADF&G Fisheries Data Series Report (Schmidt et al. *in press*).



**Figure 7. Composition of total sockeye salmon return to the Buskin River, 2001-2005.**



## CONCLUSION

Since 2000, annual operation of the Buskin River sockeye salmon weir project has been made possible by funding from the Federal Subsistence Management Program. Continued funding of this project is crucial for inseason escapement monitoring necessary to sustain the health of the stock while providing maximum harvest opportunities for subsistence users, and to allow for additional analysis of stock productivity to augment the ongoing stock assessment study which will result in establishment of a refined BEG. While the adult sockeye return appears to be relatively stable, harvest data indicates that the resource is presently fully utilized. The apparent predominance of just two age classes in the population, although not an unusual dynamic for sockeye salmon, leaves the stock vulnerable to overexploitation and significant depletion over the span of just a few generations.

In addition to providing valuable management information and important research insights needed for conservation of the sockeye salmon resource, the Buskin River project has become a vehicle for fisheries-based education and development of career interest for young subsistence users through establishment of a high school intern program in which students gain knowledge of the principles involved in fisheries management and research and obtain field experience in fisheries data collection methods and techniques. During 2003, with funding from the Buskin project ADF&G and the Kodiak Borough School District developed a high school intern program which annually selects candidates based on academic achievement and career interest in resource management. The intern program currently employs two top qualified students who work on the Buskin project under supervision of ADF&G staff between June 1 and July 31. The high school intern program has been an outstanding success, to the extent that while currently attending college three former interns are continuing their employment with ADF&G as seasonal Fish and Wildlife Technicians. In addition to the intern program, since 2001 ADF&G and the Kodiak National Wildlife Refuge have maintained a cooperative agreement to use the Buskin Rive weir as a platform for the Kodiak Summer Salmon Camp Program, which provides school-aged children a medium for activities and science-based learning. In 2006 the Salmon Camp organizers and ADF&G held weekly sessions at the weir on six occasions, during each of which the young participants were shown the weir operation and given interactive demonstrations on identifying, counting and sampling salmon. Open public access to the weir and interaction with project personnel also allows other federal subsistence users the opportunity to learn about the Buskin River sockeye salmon return, and gain insights into management policies and procedures affecting the subsistence fishery.

## LITERATURE CITED

- Schmidt, J., D. Evans and D. Tracy. *In press*. Age Composition, Spawning Escapement, Total Return and Analysis of the Spawner-Recruit Relationship for Sockeye Salmon in the Buskin River. Alaska Department of Fish and Game, Fishery Data Report Series, Anchorage.
- Schwarz, L., D. Tracy, and S. Schmidt. *In Prep*. Area management report for the recreational fisheries of the Kodiak and Alaska Peninsula/Aleutian Islands regulatory areas, 2001-2004. Alaska Department of Fish and Game, Fishery Management Report Series, Anchorage.

# Winter 2007 Regional Advisory Council Meeting Window\*\*

*February 19–March 23, 2007 current as of 8/18/06*

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
<i>Feb 11</i>	<i>Feb 12</i>	<i>Feb 13</i>	<i>Feb 14</i>	<i>Feb 15</i>	<i>Feb 16</i>	<i>Feb 17</i>
<i>Feb 18</i>	<i>Feb 19 Meeting Window Opens PRESIDENT'S DAY HOLIDAY</i>	<i>Feb 20</i>	<i>Feb 21</i>	<i>Feb 22</i>	<i>Feb 23</i>	<i>Feb 24</i>
		SP—Nome				
		BB—Naknek				
<i>Feb 25</i>	<i>Feb 26</i>	<i>Feb 27</i>	<i>Feb 28</i>	<i>Mar 1</i>	<i>Mar 2</i>	<i>Mar 3</i>
				NS—Barrow		
		SE—Kake				
<i>Mar 4</i>	<i>Mar 5</i>	<i>Mar 6</i>	<i>Mar 7</i>	<i>Mar 8</i>	<i>Mar 9</i>	<i>Mar 10</i>
		WI—Aniak		NWA—Kotzebue		
<i>Mar 11</i>	<i>Mar 12</i>	<i>Mar 13</i>	<i>Mar 14</i>	<i>Mar 15</i>	<i>Mar 16</i>	<i>Mar 17</i>
	KA—King Cove*			YKD—Hooper Bay		
		SC—Anchorage				
<i>Mar 18</i>	<i>Mar 19</i>	<i>Mar 20</i>	<i>Mar 21</i>	<i>Mar 22</i>	<i>Mar 23 Meeting Window Closes</i>	<i>Mar 24</i>
		EI—Tok				

\*Cold Bay alternate location for K/A

\*\*Kenai Peninsula dates and location to be announced.

# Fall 2007 Regional Advisory Council Meeting Window

*August 27-October 19, 2006 current as of 9-8-06*

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug 26	Aug 27 <b>FISH CYCLE MEETING WINDOW OPENS</b>	Aug 28	Aug. 29	Aug. 30	Aug. 31	Sept. 1
		<b>NS - Barrow</b>				
Sept. 2	Sept. 3 <b>Holiday</b>	Sept. 4	Sept. 5	Sept. 6	Sept. 7	Sept. 8
Sept. 9	Sept. 10	Sept. 11	Sept. 12	Sept. 13	Sept. 14	Sept. 15
Sept. 16	Sept. 17	Sept. 18	Sept. 19	Sept. 20	Sept. 21	Sept. 22
Sept. 23	Sept. 24	Sept. 25	Sept. 26	Sept. 27	Sept. 28	Sept. 29
Sept. 30 <b>END OF FY 2006</b>	Oct. 1 <b>BEGINNING OF FY2007</b>	Oct. 2	Oct. 3	Oct. 4	Oct. 5	Oct. 6
Oct. 7	Oct. 8 <b>Holiday</b>	Oct. 9	Oct. 10	Oct. 11	Oct. 12	Oct. 13
Oct. 14	Oct. 15	Oct. 16	Oct. 17	Oct. 18	Oct. 19 <b>FISH CYCLE MEETING WINDOW CLOSES Wildlife Proposal Period Ends</b>	Oct. 20